Union Calendar No. 339

98th Congress
2d Session

HOUSE OF REPRESENTATIVES

REPORT
98-598

ANNUAL REPORT FOR THE YEAR 1983

OF THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

NINETY-EIGHTH CONGRESS

FIRST SESSION

SCNAC-98-1-8

FEBRUARY 14, 1984.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

29-074 O

WASHINGTON : 1984

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL,
Washington, D.C., February 14, 1984.

Hon. BENJAMIN J. GUTHRIE,
Clerk, House of Representatives,
Washington, D.C.

DEAR MR. GUTHRIE: We are pleased to transmit the enclosed report entitled "Annual Report of the Year 1983 of the Select Committee on Narcotics Abuse and Control, 98th Congress, First Session."

This report sets forth the activities of the Committee for the calendar year 1983 in accordance with Section 6(a)(3) of House Resolution 49. In addition the report also makes a number of recommendations to the House of Representatives to control the worldwide problem of drug abuse and drug trafficking as required by Section 6(a)(3) of House Resolution 49.

Respectfully submitted.

Sincerely,

CHARLES B. RANGEL, *Chairman.*

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98TH CONGRESS
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REPORT
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ANNUAL REPORT FOR THE YEAR 1983 OF THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL, FIRST SESSION

FEBRUARY 14, 1984.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RANGEL, from the Select Committee on Narcotics Abuse and Control, submitted the following

REPORT

I. COMMITTEE JURISDICTION, AUTHORITY, FUNDING AND ORGANIZATION

A. INTRODUCTION

The House of Representatives in the 98th Congress[1] continued the mandate of the Select Committee on Narcotics Abuse and Control which was first enacted in the 94th Congress.[2] From its inception more than seven years ago, the Committee's primary mandate from the House has remained basically the same "to conduct continuing oversight and review of the problems of narcotics, drug, and polydrug abuse and control." The Committee was first established by the House in 1976 and has been reconstituted by the 95th, 96th and 97th Congresses.[3]

The Select Committee on Narcotics Abuse and Control is unique because it is the only congressional committee with the broad responsibility and authority to examine the problems of drug abuse and drug trafficking prevention and control in their entirety. The issues involved are extremely complex and cut across a wide range of public policy concerns including law enforcement, the administration of criminal justice, health and health care delivery, envi-

[1] H. Res. 49, 98th Congress, adopted Feb. 8, 1983.
[2] H. Res. 1350, 94th Congress, adopted July 26, 1976.
[3] H. Res. 77, 95th Congress, adopted Jan. 11, 1977; H. Res. 13, 96th Congress, adopted Mar. 21, 1979; H. Res. 13, 97th Congress, adopted Feb. 25, 1979.

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ronmental safety, education, international relations, national security, and government organization.

The Select Committee on Narcotics Abuse and Control possesses oversight, but not legislative, jurisdiction. The Committee is both a fact-finding and coordinating body. Through its hearings and other activities, the Committee provides an overview of the drug abuse problem, focuses congressional and public attention on critical drug-related issues, and supports actions by the standing committees of the House with legislative jurisdiction for narcotics abuse and control. Although not empowered to report legislation, the Select Committee recommends legislative inititatives to the appropriate standing committees and assists their legislative efforts. To facilitate a coordinated approach to drug abuse issues by the House, the Select Committee's membership includes representatives from eight standing committees with jurisdiction over various aspects of drug abuse prevention and control.

B. Reconstitution of the Select Committee—H. Res. 49

The text of House resolution 49 providing for the continuation of the Select Committee on Narcotics Abuse and Control during the 98th Congress is reproduced below. The resolution passed by a vote of 290–77 on February 8, 1983.

H. Res. 49

Resolved, That there is hereby established in the House of Representatives a select committee to be known as the Select Committee on Narcotics Abuse and Control (hereinafter referred to as the "select committee").

FUNCTIONS

Sec. 2. The select committee shall not have legislative jurisdiction. The select committee shall have authority—

(1) to conduct continuing oversight and review of the problems of narcotics, drug, and polydrug abuse and control, including (but not limited to) the study and review of (A) the abuse and control of opium and its derivatives, other narcotic drugs, psychotropics, and other controlled substances, as defined in the Comprehensive Drug Abuse Prevention and Control Act of 1970, and any such drug or substances when used in combination with any other substances; (B) domestic and international trafficking, manufacturing, and distribution; (C) treatment, prevention, and rehabilitation; (D) narcotics-related violations of the Internal Revenue Code of 1954; (E) international treaties and agreements relating to the control of narcotics and drug abuse; (F) the role of organized crime in narcotics and drug abuse; (G) problems of narcotics and drug abuse and control in the Armed Forces of the United States; (H) problems of narcotics and drug abuse and control in industry; and (I) the approach of the criminal justice system with respect to narcotics and drug law violations and crimes related to drug abuse;

(2) to review any recommendations made by the President, or by any department or agency of the executive branch of the Federal Government, relating to programs or policies affecting narcotics or drug abuse or control; and

(3) to recommend to the appropriate committees of the House legislation or other action the select committee considers necessary with respect to programs or policies affecting narcotics or drug abuse or control.

APPOINTMENT AND MEMBERSHIP

Sec. 3. (a) The select committee shall be composed of twenty-five Members of the House, who shall be appointed by the Speaker, one of whom he shall designate as chairman. At least one member of the select committee shall be chosen from each of the following committees of the House: The Committee on Agriculture, the Committee on Armed Services, the Committee on Government Operations, the Committee

on Foreign Affairs, the Committee on Energy and Commerce, the Committee on the Judiciary, the Committee on Merchant Marine and Fisheries, and the Committee on Ways and Means.

(b) Any vacancy occurring in the membership of the select committee shall be filled in the same maner in which the original appointment was made.

(c) For purposes of this section, the term "Members" shall mean any Representative in, or Delegate or Resident Commissioner to, the House of Representatives.

AUTHORITY AND PROCEDURES

SEC. 4. (a) For purposes of carrying out this resolution the select committee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House of Representatives shall supply to the select committee.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) Subject to the adoption of expense resolutions as required by clause 5 of rule XI of the Rules of the House of Representatives, the select committee may incur expenses in connection with its duties under this resolution.

(b) In carrying out its functions under this resolution, the select committee is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the select committee considers necessary;

(2) to prescribe the duties and responsibilities of such staff;

(3) to fix the compensation of such staff at a single per annum gross rate which does not exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code;

(4) to terminate the employment of any such staff as the select committee considers appropriate; and

(5) to reimburse members of the select committee and of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties and responsibilities for the select committee, other than expenses in connection with any meeting of the select committee held in the District of Columbia.

REPORTS

SEC. 6. (a)(1) The select committee shall report to the House with respect to the results of any field investigation or inspection it conducts.

(2) The select committee shall submit an annual report to the House which shall include a summary of the activities of the select committee during the calendar year to which the report applies.

(3) The select committee shall report to the House its recommendations for a comprehensive program to control the worldwide problem of drug abuse and drug trafficking.

(b) Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

C. FUNDING OF THE SELECT COMMITTEE—H. RES. 127

Funds for the operation of the Select Committee on Narcotics Abuse and Control during 1983 were provided in H. Res. 127, the omnibus measure authorizing amounts for expenses of investigations and studies by standing and select committees of the House in the first session of the 98th Congress. Approved March 22, 1983, the resolution included $616,823 for the Select Committee.

D. COMMITTEE RULES

On March 15, 1983, the Select Committee adopted the following rules for the 98th Congress:

RULES OF THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

RULE 1. GENERAL

The Rules of the House of Representatives, to the extent they apply, together with the following rules, shall be the rules of the Committee.

RULE 2. MEETINGS

(a) The regular meeting day of the Committee for the conduct of its business shall be on the second Thursday of each month while the Congress is in session.

(b) Additional meetings may be called by the Chairman and a regular meeting of the Committee may be dispensed with when, in the judgment of the Chairman, there is no need therefor.

(c) Special meetings may be convened as provided for by clause 2(c)(2) of Rule XI of the Rules of the House.

(d) At least 3 days (excluding Saturdays, Sundays, and legal public holidays) before each scheduled Committee meeting, each member of the Committee shall be furnished a list of the subjects to be considered or acted upon at such meeting.

RULE 3. HEARINGS

(a) Members of the Committee shall be advised and a public announcement shall be made of the time, date, place, and subject matter of any hearing to be conducted by the Committee at least one week before the commencement of such hearing, unless the Chairman determines that there is good cause to begin such hearing at an earlier date, in which event the Chairman shall advise Committee members and make the public announcement at the earliest possible date. Any announcement made under this paragraph shall be promptly published in the Daily Digest and promptly entered into the committee scheduling service of the House Information Systems.

(b) Unless authorized by the Chairman, a witness shall not be permitted to testify or present evidence at a hearing of the Committee, and such testimony or evidence may not be included in the Committee hearing record, unless 50 copies thereof have been delivered to the Committee at least 48 hours prior to such hearing.

(c) A Committee member may question a witness only when recognized by the Chairman for such purpose. In accordance with clause 2(j)(2) of Rule XI of the Rules of the House, each Committee member shall be allowed 5 minutes to question a witness until each member who so desires has had such opportunity. The Chairman shall, insofar as practicable, recognize alternately on the basis of seniority those majority and minority members present at the time the hearing was called to order and others on the basis of their arrival at the hearing. Thereafter, additional time may be extended at the discretion of the Chairman.

(d) At any hearing the minority party members of the Committee shall be entitled, upon request to the Chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to the subject matter of such hearing during at least one day of hearing thereon.

(e)(1) The Chairman at an investigative hearing of the Committee shall announce in the opening statement the subject of the investigation.

(2) A copy of the Rules of the Committee and clause 2 of Rule XI of the Rules of the House shall be made available to each witness.

(3) Witnesses at an investigative hearing may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(4) The Chairman may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearing; and the Committee may cite the offender to the House for contempt.

(f) Any witness may obtain a transcript copy of his or her testimony given at a public session or, if given at an executive session, when authorized by a majority of the members voting a majority being present.

RULE 4. COMMITTEE PROCEDURE

(a)(1) Unless otherwise required or permitted by these rules, one-third of the members of the Committee shall constitute a quorum for the transaction of Committee business. Any Committee member present at a Committee meeting may make a point of order that a quorum is not present, but a quorum shall be deemed present unless a member who is present objects.

(2) Two members shall constitute a quorum for the purposes of taking testimony and receiving evidence.

(b) Meetings for the transaction of business and hearings, of the Committee shall be open to the public or closed, in accordance with clauses 2(g)(1), 2(g)(2), or 2(k)(5) of Rule XI of the Rules of the House. No evidence or testimony taken in executive session may be released or used in public session unless authorized by a majority of members voting, a majority being present.

(c) A vote by any member of the Committee with respect to any mater being considered by the Committee may be cast by proxy if the proxy authorization is in writing, asserts that the member is absent on official business or is otherwise unable to be present at the meeting of the Committee, desigates the member of the Committee who is to execute the proxy authorization, and is limited to specific matter and any amendments or motions pertaining thereto (except that a member may authorize a general proxy for motions to recess or adjourn, or for the other procedural matters). Each proxy to be effective shall be signed by the member assigning his vote and shall contain the date and time of day that the proxy is signed. No proxy may be counted for the purpose of constituting a quorum.

(d) Every motion made to the Committee and entertained by the Chairman shall be reduced to writing upon the demand of any member, and a copy made available to each member present.

(e) In the absence of the chairman at any meeting or hearing of the Committee, the ranking member of the majority party on the Committee who is present shall preside at such meeting or hearing.

(f) A complete record of all Committee action, including a record of all votes on any question on which a rollcall vote is demanded, shall be maintained by the Committee. The result of each such rollcall vote shall be available to the public for inspection at the offices of the Committee during normal working hours.

(g) Any member of the Committee may demand and the Chairman shall order a rollcall vote on any matter considered by the Committee.

RULE 5. COMMITTEE REPORTS

(a)(1) Except as provided in paragraph (b), any Committee report shall be approved by a majority of the members voting at a meeting at which a majority is present.

(2) A proposed report shall not be considered in a Committee meeting unless a copy of the proposed report is provided to each member of the Committee at least 5 days (excluding Saturdays, Sundays, and legal public holidays) prior to the meeting.

(b) The Chairman is empowered to obtain the approval of any report in any appropriate manner, including by polling the members of the Committee in writing. In such cases, a copy of the proposed report shall be made available to each Committee member for at least 5 calendar days (excluding Saturdays, Sundays, and legal public holidays) and the approval of a majority of the Committee is required. The Chairman shall promptly notify Committee members in writing of the approval or disapproval of the proposed report.

(c) Supplemental, minority, or additional views may be filed in accordance with clause 2(a)(5) of Rule XI of the Rules of the House. The time allowed for filing such views shall be 3 calendar days (excluding Saturdays, Sundays, and legal public holidays) after approval of a proposed report in a meeting of the Committee or after the Chairman issues a notification of approval pursuant to paragraph (b).

(d) If hearings have been held on the subject matter of the proposed report, every reasonable effort shall be made to have such hearings available to the members of the Committee before seeking approval of the proposed report.

RULE 6. POWERS AND DUTIES OF COMMITTEE

(a) For the purpose of carrying out any of its functions and duties, the Committee is authorized to sit and act at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed, or has adjourned.

(b)(1) The Committee may require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, documents, and other exhibits and materials, as it deems necessary.

(2) A subpena may be authorized and issued by the Committee in the conduct of any investigation or series of investigations or activities, only when authorized by a majority of the members voting, a majority being present.

(3) Notwithstanding subparagraph (b)(2) of this rule, a subpena may be authorized and issued in the conduct of any investigation or series of investigations or activities

by the Chairman upon the concurrence of the ranking minority member on the Committee.

(4) Authorized subpenas shall be signed by the Chairman or by any member designated by the Committee, and may be served by any person designated by the Chairman or such member.

(c) The Chairman, or any member of the Committee designated from time to time by him, shall report on the meetings, hearings or other activities of the Committee to any other committee of the House which has subject matter jurisdiction therein.

RULE 7. BROADCASTING

(a) Whenever any hearing or meeting conducted by the Committee is open to the public, the Committee may permit such hearing or meeting to be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any of such methods of coverage, under the rules established by paragraph (b) of this rule.

(b)(1) If television or radio coverage of any hearing or meeting of the Committee is to be presented to the public as live coverage, such coverage shall be conducted and presented without commercial sponsorship.

(2) No witness served with a subpena by the Committee shall be required against his or here will to be photographed at any hearing or meeting or to give evidence or testimony while the broadcasting of such hearing or meeting, by radio, or television, is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off.

(3) Not more than 4 television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The allocation among the television media of the positions of the number of television cameras shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(4) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of such witness and such members to each other.

(5) Television cameras shall not be placed in positions which obstruct unnecessarily the coverage of the hearing or meeting by other media.

(6) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from the hearing or meeting room while the Committee is in session.

(7) Floodlights, spotlights, strobelights, and flashguns shall not be used in providing any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing or meeting room, without cost to the Government, in order to raise the ambient lighting level in the hearing or meeting room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the then current state of the art of television coverage.

(8) Not more than 5 press photographers shall be permitted to cover a hearing or meeting by still photography. In the selection of such photographers, preference shall be given to photographers from Associated Press Photos and United Press International Newspictures. If request is made by more than 5 representatives of the media for coverage of the hearing or meeting by still photography, such coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee on Press Photographers.

(9) Photographers shall not position themselves at any time during the course of the hearing or meeting between the witness table and the members of the Committee.

(10) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing or meeting by other media.

(11) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(12) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(13) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

RULE 8. AMENDMENT OF RULES

The Rules of the Committee may be modified, amended, or repealed, by a majority of the members voting at a meeting at which a majority is present. Written notice

of any proposed change shall be provided to each member of the committee not less than 3 calendar days (excluding Saturdays, Sundays, and legal public holidays) before the meeting date on which such change is to be considered.

E. Committee Membership

The membership of the Select Committee on Narcotics Abuse and Control is listed on page II of this report. The committee membership stands at 25 members pursuant to H. Res. 49, 98th Congress. This is an increase in membership on the Select Committee of 6 members over the size of the committee established under House Resolution 13 in the prior Congress. The increased membership in the 98th Congress was designed to broaden geographical representation on the Committee, increase participation of the standing committees, and to accommodate greater participation by members who served as ex officio members during the 97th Congress. As a result of the expanded membership, ex officio positions on the Select Committee were eliminated.

F. Committee Staff

The Select Committee's average staff level during 1983 consisted of 13 professional staff members and four staff assistants. In addition, the Drug Enforcement Administration detailed an employee to the Committee for the 98th Congress to assist the Select Committee on long-term research projects. An intern sponsored by the Congressional Black Caucus Foundation joined the staff for eight weeks in Spring 1983 and during the summer months four interns, at various times, joined the staff and assisted the Select Committee in its work. The Committee has also obtained the services of an intern from the Department of Health and Human Services to assist in the Committee's research program. The Select Committee's editorial and printing needs were handled by two detailees from the Government Printing Office. A complete list of the present Committee staff is listed on page II of this report.

Members and staff of the Select Committee were saddened by the untimely death of the Committee's investigator, John W. Peploe, on September 11, 1983. Jack had been the Committee's chief investigator since 1977 and was highly respected by both Committee members and staff. His presence will be missed. Select Committee Chairman Charles Rangel delivered the eulogy at Jack's funeral on September 15, 1983.

G. Committee Meetings

The Select Committee on Narcotics Abuse and Control met to transact business on March 15, 1983. At this meeting the membership met to discuss and approve its rules for the 98th Congress and consider its agenda for 1983.

II. ACTIVITIES

A. Committee Hearings—Introduction

The Select Committee's hearing agenda for 1983 generally consisted of a comprehensive examination of the 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, which was promulgated by the Reagan Administration in October 1982. The Drug Abuse Prevention, Treatment and Rehabilitation Act (P.L. 92-255 as amended, 21 U.S.C. 1101 et seq.) directs the development of a comprehensive, coordinated, long term Federal drug strategy. The 1982 strategy has been the only one issued by the Reagan Administration and, to date, it has not been revised.

The Administration's strategy sets the tone and direction for its overall effort to reduce drug abuse during the next several years. The five major elements of the Administration's drug program are:

—International Cooperation;
—Drug Law Enforcement;
—Education and Prevention;
—Detoxification and Treatment;
—Research.

This strategy states that it "sets forth the key elements of the Federal response to drug abuse problems and establishes a flexible framework within which agency administrators and policymakers will design and vigorously implement specific initiatives across the broad spectrum of domestic and international drug abuse prevention and control activities."

A review of both the implementation and success of the strategy to date was begun by the Select Committee shortly after its reconstitution. A series of hearings was held in Washington with the heads of key Federal agencies with narcotics law enforcement responsibilities. A Washington hearing was also held with the Assistant Secretary in charge of the State Department's Bureau of International Narcotics Matters examining international control programs. The Committee held field hearings in New York City; Redding, California; and West Palm Beach, Florida to assess the impact of the Administration's various narcotic enforcement programs around the country. These hearings chose locations where the three major illicit drugs of abuse, heroin, marihuana, and cocaine are either smuggled into this country or cultivated within the United States. During these three hearings, in addition to hearing from Federal, State and local law enforcement personnel, the Committee also heard testimony from State and local drug abuse treatment and prevention professionals concerning their views of the education and prevention, and detoxification and treatment portions of the 1982 Federal Strategy, as well as their observations of the impact of the Alcohol, Drug Abuse and Mental Health Services (ADMS) Block Grant on the delivery of drug abuse services.

In early November, 1983, the Select Committee held two days of hearings in Washington, D.C. examining the overall Federal strategy with particular emphasis on drug abuse prevention, treatment and research. The principal witnesses at this hearing were the Special Assistant to the President for Drug Abuse Policy, Dr. Carlton Turner, and Dr. William Pollin, Director of the National Institute on Drug Abuse.

The Select Committee concluded its 1983 hearing agenda with a session in Corpus Christi, Texas. This hearing focused on the smuggling of illicit drugs through the Gulf of Mexico and across the Texas/Mexican border, the Federal enforcement response to this threat, and the delivery of treatment services to this area under the ADMS block grant.

1. FEDERAL DRUG LAW ENFORCEMENT STRATEGY

a. Drug Enforcement Administration, May 24, 1983, Washington, D.C.

Witness: Francis M. Mullen, Jr., Acting Administrator, Drug Enforcement Administration

The Select Committee opened its oversight hearings on the implementation of the law enforcement aspects of the 1982 Federal Strategy with testimony from the Drug Enforcement Administration (DEA). The DEA was chosen to begin this hearing series because it is the lead Federal agency in the development and implementation of programs to control the traffic and abuse of narcotic and psychotropic drugs. The DEA is our prime source of insight into how serious our drug abuse problem is, whether the overall outlook is deteriorating or improving, and the successes and failures of the many-sided enforcement efforts.

Chairman Rangel opened the hearing noting that the Committee's objective was to examine DEA's statutory responsibilities and performance. Budgetary reductions, reorganization under the banners of the Federal Bureau of Investigation (FBI), and new administrative leadership put DEA through a difficult period of transition during the first two years of the Reagan Administration. During this same time, however, the availability of illicit drugs of abuse increased and our Nation's drug abusing population expanded.

Acting Administrator Mullen opened his testimony by highlighting what he viewed as the recent chief accomplishments of U.S. drug enforcement. Mr. Mullen pointed to the DEA/FBI reorganization, the establishment of the Organized Crime Drug Enforcement (OCDE) Task Forces, the creation of the National Narcotics Border Interdiction System (NNBIS), the increased emphasis on controlling the diversion of prescription drugs, and the creation of the Domestic Marihuana Eradication and Suppression Program as key elements in DEA's implementation of the 1982 Federal Strategy.

Mr. Mullen emphasized that in executing the Federal strategy ". . . we should stress that which we can immediately control, and influence and that is the education, the rehabilitation and the domestic enforcement" as opposed to concentrating on source country eradication and international narcotics control. In further explana-

tion of this statement, the Department of Justice informed the Committee that:

> There was never any intention to emphasize the demand reduction and domestic enforcement elements of the Federal Strategy in opposition to international efforts. These domestic activities are ones over which we have immediate control because the Federal Government can create policies and strategies to implement them. Our ability to influence drug control policy in other nations is far less immediate and direct—it relies on long-range diplomatic efforts the results of which may be several years off.
>
> While the DEA believes that the United States and the governments of other nations must work together to eliminate the cultivation and production of illicit drugs in source countries, we recognize that we must also accelerate our efforts in those areas over which we have more immediate control.

Questioning by the Members focused chiefly upon DEA's law enforcement performance. Members pressed Mr. Mullen for data and statistics on DEA arrests and convictions since 1980, quantities of illicit drugs and clandestine laboratories seized since 1980, and the amount of monetary, real estate and personal property assets seized and forfeited by DEA during that same period. This questioning was prompted by the Select Committee's concern that in the last two years budgetary and organizational turmoil at DEA has deprived the agency of fiscal resources and poised direction to effectively carry out its mission. Subsequent responses by the Department of Justice to the specific performance issues raised by the Committee yielded the following information:

(1) DEA ARRESTS AND CONVICTIONS 1980 THROUGH MARCH 1983 (EXCLUDING STATE/LOCAL TASK FORCES)

	Violator class				Total
	I	II	III	IV	
1980:					
Arrests	1,116	672	5,116	2,394	9,298
Convictions	495	344	2,153	1,020	4,012
1981:					
Arrests	1,266	761	5,550	2,673	10,250
Convictions	573	372	2,599	1,068	4,612
1982:					
Arrests	1,205	668	5,755	2,387	10,015
Convictions	685	420	2,639	1,191	4,935
1983:					
Arrests	279	138	1,344	818	2,579
Convictions	217	126	890	317	1,550

(2) DEA DOMESTIC DRUG REMOVALS, 1980 THROUGH JUNE 1983

[In kilograms]

	1980	1981	1982	1983
Heroin	253	151	274	192
Cocaine	3,478	1,978	5,650	4,111
Marijuana	2,969,737	877,808	1,275,760	309,123
Hashish	2,816	30,682	1,398	524

(3) DEA CLANDESTINE LABORATORY SEIZURES

1980	211
1981	162
1982	201
1983 (to July 31)	102

(4) DEA PERSONAL AND REAL ASSET SEIZURES

Fiscal Year:	
1980	$39,381,705
1981	64,657,278
1982	103,501,737
1983 (through May 19)	43,150,405

Members also express concern about DEA's role in drug law enforcement policy coordination. Mr. Mullen informed the Committee that DEA is a member of the Cabinet Council on Legal Policy that is headed by the Attorney General. Mullen, himself, is also a participant on the White House Working Group that is headed up by Dr. Carlton Turner. On resource needs, DEA makes its requests to OMB through the Justice Department and the Attorney General; on major policy initiatives, Mr. Mullen indicated he would consult with Director William H. Webster of the FBI and the Attorney General.

Members reacted cautiously to Mr. Mullen's statement that U.S. drug abuse policy should emphasize domestic enforcement and preventive measures, as against achieving success in source nation eradication and control. Questions were raised regarding the adequacy of DEA agent strength and presence overseas, the geographic locations where agents are allocated, and whether agent assignments accurately reflected current trafficking trends. For example, concern was expressed that 54 percent of the heroin affecting the United States is of Middle Eastern/Southwest Asian origin yet DEA only has seven agents assigned to Pakistan and six assigned to Italy, the major nations along this trafficking route. Mexico and Thailand, on the other hand, are responsible for 32 percent and 14 percent respectively of the heroin entering the U.S. but DEA has stationed 29 agents in Mexico and 26 agents in Thailand. The Committee feels these assignments reflect that DEA's overseas manpower assignments may be outdated, a holdover from the period prior to 1979 when heroin from Mexico and Southeast Asia dominated the traffic to the United States. Mullen stated that these assignments are based upon available manpower, considerations of where the agents can be most effective, and the particular level of

cooperation from foreign police agencies in source or transshipment nations. In follow-up materials given to the Committee after the hearing, the Department of Justice stated that "DEA headquarters has recently completed an assessment of overseas staffing and is formulating recommendations to reallocate manpower according to needs directed by current trafficking conditions."

The Select Committee pressed for information on the level of DEA's performance overseas. The Department of Justice provided the following information:

DEA FOREIGN COOPERATIVE DRUG REMOVALS, 1980–JUNE 30, 1983

[In kilograms]

	1980	1981	1982	1983
Heroin	728	648	1,385	959
Cocaine	4,353	1,051	4,428	4,300
Marijuana	58,561	40,164	209	9,073
Hashish	19	0	20	19,976

DEA FOREIGN COOPERATIVE ARRESTS, 1980–MARCH 1983

	Violator class				Total
	I	II	III	IV	
1980	158	98	680	334	1,270
1981	145	91	651	243	1,130
1982	137	63	670	205	1,075
1983	36	25	222	120	403

Members also questioned the sufficiency of funding ($2.4 million in fiscal year 1983 and $2.5 million in fiscal year 1984) for DEA's domestic marihuana eradication program. In this program, which involves over 40 States, DEA provides funding, training, and investigative and aerial support to local enforcement agencies engaged in marihuana eradication and suppression. Mr. Mullen indicated that the funding budgeted for the program is adequate so long as the States involved take the lead enforcement role in the marihuana effort with DEA in a supervisory posture.

The Select Committee has also expressed concern over personnel practices at DEA in the advent of its reorganization under the FBI Director. The committee under former Associate Attorney General Rudolph Giuliani, which recommended the establishment of concurrent jurisdiction between DEA and FBI, also proposed that DEA agents be taken out of the civil service and placed into the excepted service. Since then legislation has been proposed by the administration to place all DEA personnel, agent and non-agent alike, into the excepted service.

The transfer of DEA from the competitive civil service into the excepted service would impact upon its employees in the following ways:

—Adverse actions: Suspensions, demotions, removals, etc., are now appealable through the Merit Systems Protection Board,

and eventually the judicial system. Under excepted service, only discrimination cases are appealable outside the agency.

—Grievances against alleged unfair or improper personnel actions are appealable to an outside examiner. Under excepted service, no outside adjudication will be permitted.

—Appointments are now made in compliance with OPM or OPM-approved qualification standards, and only after certification of applicants as qualified. No such certification of qualifications are required in the excepted service.

—Reductions in Force: A variety of RIF procedural protections and OPM requirements, including "bumping" and retreat rights are now available to DEA employees. Excepted service will eliminate bumping and retreat rights.

The Select Committee is apprehensive that the objective of the Justice Department's plan to place DEA employees in the excepted service is to make the agency totally subservient to the FBI, contrary to express congressional intent expressed in Reorganization Plan No. 2 of 1973.

The Committee is fearful that the wholesale inclusion of DEA into the excepted service will have a crippling effect on DEA. Among its concerns are the diversion of skilled investigators to mid- and high-level support activities to conform to FBI personnel policies; the infiltration of DEA management by FBI agents; and the degradation of agency morale among both investigative and non-investigative personnel in DEA.

The Select Committee believes that effective Federal drug law enforcement requires a fully complemented DEA. This cannot be accomplished merely by bringing the FBI into drug enforcement. An examination of FBI drug removal data comparing fiscal year 1982 to fiscal year 1983 reveals that while the FBI's drug enforcement activity has increased, it greatly lags behind DEA and does not account for a significant reduction in the availability of illegal drugs in the United States.

DEA/DEA COOPERATIVE DRUG REMOVALS FISCAL YEAR 1983

Drug	DEA/DEA coop [1]	Customs referrals	INS referrals	Other Federal referrals	FBI/DEA coop	FBI (only)
FISCAL YEAR 1983						
Marijuana (kilograms)	1,044,648.10	20,750.64	15,591.30	27,276.98	31.02	2,262.28
Marijuana (pounds)	2,303,016	45,747	34,372	60,214	68	4,987
Hashish (kilograms)	1,302.18	8.94	33.11	.....	.03	3.06
Heroin (kilograms)	306.04	88.61	.....	.....	.84	3.81
Cocaine (kilograms)	7,558.04	196.17	16.47	14.06	214.95	328.40
Dangerous drugs (d.u.)	20,194,113	5,720,663	75,677	60,571	59,149	1,938,189
FISCAL YEAR 1982						
Marijuana (kilograms)	1,074,338.91	51,266.14	3,896.50	301,059.62	.01	2.03
Marijuana (pounds)	2,368,472	113,021	8,590	662,712	.....	4
Hashish (kilograms)	6,807.06	1,001.87	8.57	.78	1.0	.....
Heroin (kilograms)	230.82	99.76	.....	.....	.....	.....
Cocaine (kilograms)	4,946.54	1,114.63	5.84	21.80	.05	.15
Dangerous drugs (d.u.)	51,004,831	11,976	106,207	17,398	377	1,138

[1] Includes Customs, INS, other Federal referrals, and FBI/DEA Coop.

Source: STRIDE.

Similarly, the Select Committee remains cautious about the long-term effectiveness of the OCDE program. The Administration has recently announced the filing of 183 indictments against a total of 1,028 defendants as a result of the OCDE program. Little is known about the nature and quality of these cases, but many questions arise. How long were some investigations in progress before the inauguration of the OCDE Task Forces in October 1982? What level of defendants in the drug trafficking hierarchy have been indicted? What will be the conviction rate on these cases? Will there be an overall disruption of drug trafficking organizations as a result of these investigations? At this point the Select Committee can only concur in the conclusion reached by Associate Attorney General D. Lowell Jensen in his November 21, 1983 announcement of the OCDE indictments that it is "totally premature" to claim that the OCDE program is having any effect on the supply of drugs in this country.

At the hearing's closing, the Committee pointed out that it would have strong reservations about DEA's view of the Federal Strategy if it conceives an emphasis on eliminating our domestic "demand" for illegal drugs and narcotics at the expense of an aggressive international policy aimed at reducing the supply of illicit substances. Further, the Select Committee is convinced that our ultimate success in combatting drug trafficking in large measure depends upon a Drug Enforcement Administration that is adequately staffed, sufficiently financed, and effectively programmed, and not on the creation of provisional task forces or the involvement of other Federal agencies that have other enforcement missions and priorities.

b. United States Coast Guard, May 24, 1983, Washington, D.C.

Witness: Admiral James S. Gracey, Commandant, U.S. Coast Guard.

The purpose of the hearing was to review the Coast Guard's role in the Administration's 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking. The Committee also sought to determine the adequacy of Coast Guard resources to carry out its critical drug law enforcement mission. Finally, the Committee wanted to hear the Coast Guard's assessment of the drug trafficking problem and what is needed to combat it effectively.

In his testimony, Admiral Gracey said that as the Federal agency with primary jurisdiction for maritime law enforcement, the Coast Guard shoulders the major responsibility for interdicting drug smuggling by sea. Because marihuana is a bulk commodity, commonly shipped by sea and readily detectable during at-sea boardings, the Coast Guard seizes more illicit marihuana intended for importation than any other Federal agency and its interdiction efforts are primarily directed toward the seaborne marihuana trade.

With respect to drug trafficking patterns, Gracey said that most drug traffic in the Atlantic region originates in the Caribbean, generally along the north coast of Colombia in the vicinity of the Guajira Peninsula. Historically, smugglers have sailed north through one of four Caribbean channels or "choke points", then proceeded toward the Bahamas, Florida or the Gulf Coast. He noted that

since the 1982 buildup of Federal interdiction resources in south Florida, some smugglers are avoiding the increased law enforcement pressure in that area by off-loading further north in the Carolinas and other points along the mid-Atlantic and New England seacoasts. Gracey said that without the geographic advantage of natural choke points to present concentrated targets, drug interdiction in the Atlantic north of Florida, as well as all Pacific coast drug law enforcement efforts, depend almost entirely on intelligence and transit zone surveillance.

According to the National Narcotics Intelligence Consumers Committee, roughly 60 percent of all marihuana smuggled into the United States is transported by sea. To make the most effective use of its resources, the Coast Guard attempts to interdict larger vessels, called motherships, in the choke points or transit zones before they get close enough to the U.S. coastline to transfer their cargo to smaller, faster vessels for the run into shore. Gracey said a mothership seizure may remove as much marihuana as would 10–20 seizures of smaller craft closer to shore.

Gracey outlined steps the Coast Guard had taken in fiscal year 1983 to augment the Seventh Coast Guard District, headquartered in Miami, to support the Vice President's South Florida Task Force on Crime. These steps included:

—Increasing patrol time off the southeastern United States (SEUS) by one cutter year;

—Transferring two additional medium endurance cutters from the North Atlantic to Florida (fourth quarter, FY 1982);

—Establishing a Surface Effect Ship (SES) Division of two SES's in Key West in November 1982. A third SES was added in July 1983;

—Establishing a tactical law enforcement team (TACLET) and two law enforcement detachments (LEDETS) that can deploy on short notice aboard Navy ships operating in the area;

—Transferring three helicopters from other districts to Miami to support cutter deployments; and

—Establishing an interdiction operations information center (IOIC) staffed by Coast Guard, Customs, Air Force, Navy, and DEA personnel to provide tactical intelligence on drug smuggling in the SEUS and to aid the task force in coordinating interdiction efforts. The IOIC, known as the OIC, has been made part of the National Narcotics Border Interdiction System (NNBIS) regional center for the southeast region.

As a result of the additional efforts undertaken in the southeast, Gracey reported that the Coast Guard was able to maintain patrols in the major Caribbean passes as follows:

—At least one cutter in the Yucatan Channel 96 percent of the time;

—At least one cutter in the Windward Passage 97 percent of the time (primarily the Haitian Migrant Interdiction Operation Unit); and

—One cutter in the Mona and Anegada passes 20–25 percent of the time.

Gracey said there is no doubt that the increased pressure against seaborne drug smuggling in the southeast is causing diversion of drug traffic to other routes, other modes of transportation, other

supply sources and other off-load points. For example, he reported that between calendar years 1981 and 1982 Coast Guard patrols in the Atlantic coast area north of South Carolina experienced a 169 percent increase in vessels seized (from 13 to 22), a 452 percent increase in marihuana seized (from 132,000 lbs to 595,000 lbs), and a 252 percent increase in persons arrested (from 56 to 141). He said the increased seizures in the North Atlantic region were probably due to improved Coast Guard intelligence, better resource utilization, and more experience, as well as smugglers' attempts to avoid the stepped-up enforcement presence in the Florida area.

Gracey also claimed that increased Coast Guard interdiction pressure was affecting the overall level of maritime drug smuggling. He noted that from January 1–May 1, 1982, the Coast Guard seized 83 narcotics smuggling vessels and 1,461,279 pounds of marihuana. During the same period in 1983, only 37 vessels carrying 466,424 pounds of marihuana were seized. He attributed this result, at least in part, the the deterrent effect of having Coast Guard forces in place. He said source country shipments were down as smugglers decided to "wait-and-see" whether increased interdiction pressure would be sustained over the long run.

While the primary focus of Coast Guard drug interdiction efforts is on the east coast, Gracey said the Coast Guard also has had an on-going program in the Pacific. With the pressure being exerted in the Caribbean, Gracey said he was sure that west coast drug smuggling was increasing. Gracey said most of the seaborne smuggling in the Pacific originates from the west coast of Colombia and moves up along the west coast of the United States. To avoid routine Coast Guard air surveillance patrols, smugglers sometimes stay as far offshore as 400 miles where they rendezvous with smaller vessles, such as deep-sea commercial fishing boats, from various ports along the California coast. Gracey said the Coast Guard needed better intelligence on ship movements to be more effective on the west coast. He said their current offshore surveillance was hampered by the lack of good sensor equipment to extend the visibility range of their C–130 long-range search aircraft. Gracey said the Coast Guard was trying to upgrade the radar capability of its aircraft.

On the international level, Gracey said the Coast Guard has been working with the Haitian Navy, as part of the Haitian Migrant Interdiction Operation (HMIO), to train crews, repair vessels and provide fuel. This program has improved the Haitians' capability to combat drug smuggling in their waters. He said the Coast Guard was also cooperating with its counterparts in the Bahamas, Colombia, the Dominican Republic, Ecuador, Haiti, Honduras, Mexico, Panama and Venezuela through the Inter-American Maritime Intelligence Network (IAMIN). The Coast Guard is also helping the Lesser Antilles establish a communications link between the many island nations to promote cooperation on Caribbean drug interdiction. Finally, he described an agreement between the United States and the United Kingdom that allows the Coast Guard to board any private vessel flying the British flag in the Gulf of Mexico, the Caribbean and up to 150 miles off our Atlantic coast if the Coast Guard has reason to believe the vessel is engaged in drug smuggling into the United States. In effect since November 1981, the

agreement has resulted in 10 seizures. Similar agreements are being pursued with several Caribbean countries.

During calendar year 1982 the Coast Guard seized 3,535,985 pounds of marihuana, 9 pounds of cocaine, 3,190 pounds of Thai sticks, and 61,628 doses of other dangerous drugs. The Coast Guard cooperated with other agencies in the joint seizure of an additional 194,073 pounds of marihuana, 784 pounds of cocaine, and 18 pounds of hashish.

Overall, Gracey estimated that the Coast Guard is interdicting about 30 percent of maritime drug shipments, compared to a rate of about 15 percent of a few years ago. Notwithstanding this improvement, Gracey said the Coast Guard's present experience indicates that current interdiction rates have little effect on short-term marihuana supply and price because many alternative supply sources and routes exist, a long-term effort is required to overcome stockpiles and pipeline supplies, and current interdiction rates still allow for a profitable business. He said that interdiction rates alone do not represent the best indicator of an effective program to limit marihuana supplies in our country and stressed that rather than an interdiction goal of any given percent, the Coast Guard's long-range goal is to increase enforcement capabilities to the level where maritime smuggling ceases to be worth the risk, "whatever that may turn out to be". He also said coordinated efforts against land and air smuggling, as well as maritime trafficking, were needed to improve interdiction effectivess.

Members of the Committee commended the Coast Guard for what it has been able to accomplish in the area of narcotics interdiction within the limits of its resources. The Members expressed serious concerns, however, that the Coast Guard did not have sufficient resources—manpower, equipment, ships, planes—to mount an aggressive interdiction program in all threatened areas. The Coast Guard is currently in the process of acquiring a variety of new cutters, aircraft and equipment. Major acquisitions include 13 medium class cutters (one currently operational), 8 patrol boats designated for drug law enforcement in the southeast area, 41 falcon jet medium-range search aircraft (30 currently operational), 90 short-range helicopters and 12 C–130 long-range search aircraft. With the exception of the 8 patrol boats, and the 3 SES's the Coast Guard has already acquired for use in south Florida, these new vessels and aircraft are being procured to replace existing inventory which is old, worn out and requires extensive maintenance, cutting down on patrol time. The new acquisitions will have greater capabilities than the aging vessels and aircraft that are being replaced, but it will be be several years before many of these new ships and aircraft will be available for duty.

The central fact remains, however, that the Coast Guard has been given little in the way of additional resources to support its efforts against an illegal drug smuggling problem of enormous dimensions. With respect to the new medium endurance cutters being constructed, Gracey admitted that "these were not built for the drug situation" but are needed for Coast Guard missions irrespective of the drug problem. The same holds true for the new aircraft the Coast Guard is acquiring. Only the SES's and the 8 new

patrol boats designated for the southeast are intended primarily for drug interdiction.

Under the new National Narcotics Border Interdiction System (NNBIS), the Coast Guard has been given expanded responsibilities for drug interdiction. The Administration has yet to request any additional resources to support NNBIS, however. At this point, NNBIS is primarily a coordinating mechanism to improve interagency cooperation on drug intelligence and assure better use of existing assets in interdiction efforts. Expanded interdiction strategies that might be initiated under NNBIS are still under consideration. Gracey testified that ". . . there is no way that we could mount a similar effort to the Florida effort . . . with the resources we have." Confirming this statement, Gracey's written reply to a follow-up question after the hearing stated, "If major initiatives are to be undertaken outside SEUS, additional resources . . . will have to be made available." For example, Gracey said that if the NNBIS strategy were to call for air surveillance of the drug transit zones up both coasts as he wishes it would, the Coast Guard would require additional long-range search aircraft.

The Coast Guard's responses to written questions submitted after the hearing provide an additional measure of the resources the Coast Guard estimates it would need to improve substantially its drug interdiction effectiveness. In addition to the resources already in the procurement pipeline, the Coast Guard said it could effectively use additional high and medium endurance cutters, C–130 aircraft, mid-level patrol craft, helicopters, shuttle vessels, forward looking infra-red sensors for Coast Guard helicopters and cutters, forward and side looking radars on medium and long-range search aircraft, and radar surveillance sites in the Caribbean. The Coast Guard could also use additional personnel to augment small boat stations and cutter crews and to form additional law enforcement detachments. To achieve a 70 percent marihuana interdiction rate (the estimated rate needed to make marihuana smuggling uneconomical according to a 1982 CIA study), the Coast Guard said it would need an additional $500 million to $1.1 billion annually for capital investment and an additional $200–300 million a year for operating expenses.

The Select Committee covered a number of other issues with Admiral Gracey during the hearing and in follow-up questions afterward, including the following.

Air interdiction.—Committee members asked Gracey about the Coast Guard's role in interdicting airborne, as well as maritime, drug smuggling. Gracey told the Committee that air interdiction is primarily the responsibility of the Customs Service. He said the Coast Guard basically was not equipped for air interception and that the radar on Coast Guard aircraft was not aimed at air traffic.

He told the Committee that ". . . as of now, unless we get some intelligence, something for one of our aircraft out there to look for, we are not seeking aircraft." He did say, however, that he envisioned a potential role for the Coast Guard in any air interdiction work to be done on the high seas. The Committee has asked the Coast Guard for additional information on expanding Coast Guard's mission to include greater responsibility for air interdic-

tion. The Coast Guard response has just been received by the Committee.

Posse Comitatus.—The Coast Guard receives a variety of assistance from the military services in drug interdiction. This support, which is provided in conjunction with normal defense missions, includes: towing and escort of seized vessels, intelligence, air surveillance, carrying Coast Guard boarding parties on naval vessels, and reporting of suspect vessels by Navy ships. Because the Coast Guard's biggest gap, according to Gracey, is in intelligence. he listed the intelligence support received from the military, especially the increased suspect vessel sightings from aerial and surface surveillance, as currently of paramount importance. He told the Committee that the primary benefit of the so-called Posse Comitatus amendments of 1981 (P.L. 97-86) has been to increase DoD's awareness of the priority placed on drug interdiction by Congress and the Administration. The law had acted as an incentive for DoD to increase its support for drug interdiction wherever possible. He recommended no changes in the law at this time.

Executive coordination.—As Commandant of the Coast Guard, Gracey participates in the Oversight Working Group which is chaired by Dr. Carlton Turner of the White House Drug Abuse Policy Office and meets once a month. A Coast Guard Captain serves as director of the NNBIS staff at the White House, and the Coast Guard is participating, albeit on a limited basis, in 11 of the 12 regional organized crime drug enforcement task forces (all except Denver). Gracey said the Coast Guard was actively involved in the development of the Administration's 1982 Federal drug strategy and indicated that he felt he had sufficient opportunity to present his views on drug policy issues of interest to the Coast Guard. He said the Coast Guard had had some input in the discussions leading to the establishment of NNBIS, but the exact nature of the system was evolved within other levels of the Executive Branch.

Gracey opposed the idea of a Cabinet-level drug coordinator or "drug czar". He said the creation of such an official "who would have line control (real or inferred) over agency assets . . . is not organizationally sound." In the Coast Guard it could be disastrous, he said, because of the multimission demands on Coast Guard resources.

High seas drug enforcement authority.—Gracey said the enactment of Public Law 96-350 in 1980, which was intended to enhance Coast Guard's drug enforcement efforts on the high seas, had worked very well. He said 77 percent of the people arrested now by the Coast Guard were being tried and 92 percent of those tried were being convicted compared to 64 percent and 45 percent, respectively, prior to the new law.

He recommended two changes in the law. First, he said that penalties under the law for large-scale marihuana smuggling should be increased from the current maximums of 5 years/$15,000 to the 15 years/$125,000 maximum penalties that apply to domestic marihuana trafficking in quantities greater than 1,000 pounds. Since the vast majority of Coast Guard marihuana seizures occur outside U.S. territory and the average amount seized exceeds 7 tons, the Coast Guard believes raising the penalties for large-scale smuggling

would serve as an added deterrent to the seaborne marihuana traffic.

Second, he recommended that stateless drug trafficking vessels seized by the Coast Guard on the high seas be required to affirmatively make claims to registry under a foreign flag or be foreclosed from such claim at a later time. If a claim is made, the defendants should be required to produce current, valid documentation of registry. Frequently, a drug smuggling vessel will fly the flag of a foreign country with which it is not registered. The Coast Guard, after checking with the country claimed, seizes the vessel as stateless. Under current law, the United States must prove statelessness in court. This is often difficult because the Government must show that it checked the vessel registry with the country claimed and determined that the vessel was not registered. In court, this approach requires the Government to produce certification of the record search by the claimed country and authentication of all documents involved. The process requires the cooperation of foreign governments and is often difficult to achieve in the timely fashion required by our criminal process. The Coast Guard believes placing the burden of proving proper registry on the seized vessel is appropriate because international standards require an affirmative claim to registry in order to claim the protection of high seas freedoms and require evidence of such registry to be maintained aboard. The Committee believes this proposal requires further study.

Intelligence.—Admiral Gracey stressed the need for more and better intelligence collection, analysis and dissemination. The Coast Guard's most critical intelligence need is for timely, accurate information on the number, identity, location and destination of drug smuggling vessels. Intelligence obtained from Coast Guard programs results in or contributes to approximately 50 percent of Coast Guard mothership seizures. Approximately 40 percent of Coast Guard seizures result from routine patrols and boardings, and 10 percent are based on intelligence from other agencies. The Coast Guard is currently expanding its maritime intelligence efforts. Increased coordination of drug intelligence efforts with EPIC (the El Paso Intelligence Center), NNBIS and other Federal agencies should all improve the value of drug intelligence and help target interdiction resources where they can be most effective.

The Select Committee makes the following recommendations with respect to the Coast Guard's role in drug enforcement.

(1) The Administration should request, and the Congress should appropriate, substantial additional resources to significantly upgrade the Coast Guard's drug interdiction capabilities.

At its current level of resources, the Coast Guard cannot interdict enough of the maritime drug traffic to have a significant economic impact on smugglers or to materially affect supplies of marihuana to the United States. The Coast Guard does not have enough assets to mount strong interdiction initiatives similar to the south Florida effort in other threatened areas of the country. The multimission responsibilities of the Coast Guard, plus the need for training and maintenance further limit the availability of Coast Guard assets for drug law enforcement. With the exception of three recently acquired SES's and plans for eight new patrol boats, new

ships and plans coming on line are replacing aging cutters and aircraft, not adding to the pool of Coast Guard resources.

The Coast Guard needs more vessels, aircraft, sensors and other equipment to carry out an aggressive drug interdiction program. It also needs more personnel to operate and support this equipment. In each of fiscal years 1982 and 1984, the Congress appropriated an additional $300 million for Coast Guard procurement programs in the DoD Appropriations Acts. The extra amount provided this year will help the Coast Guard acquire additional long-range search aircraft, patrol boats and sensing devices that it needs to carry out its many critical missions including drug law enforcement. This is a good beginning but more is required. The Administration must recognize the Coast Guard's urgent needs and budget for them appropriately. Without seeking additional resources, the administration's NNBIS initiative, in which the Coast Guard is expected to play a major role, is little more than a hollow gesture.

(2) The Administration should review its strategy for interdiction of airborne drug smuggling and devise a plan for fully integrating Coast Guard resources into this critical mission.

The Coast Guard has the trained pilots, the aircraft, the bases, the support structure, and the experience of operating large sophisticated patrol aircraft to play a major role in air interdiction. At present, however, Coast Guard aircraft are not properly equipped to look for air targets and the responsibility for air interdiction is lodged almost exclusively within Customs.

Within the past year, the Customs Service, with congressional support, has initiated a program to upgrade its air interdiction capability. This plan involves the acquisition and modification of excess military aircraft and the procurement of appropriate radar. It will also require pilot training and the establishment of appropriate basing and support systems for the military assets turned over to Customs.

The Committee supports the enhancement of our air interdiction capability through the use of surplus military assets. The Committee also believes that the Coast Guard's resources are ideally suited to air interdiction. With a relatively low additional investment, these assets could be equipped to make a valuable contribution to this important aspect of our Nation's drug control strategy. By fully integrating the Coast Guard into our air interdiction efforts, we can make maximum use of our resources available for drug traffic control.

(3) The Select Committee recommends the enactment of H.R. 4028 which would establish a high-level Federal drug coordinator in the Executive Branch.

The efforts of the Federal Government to prevent and control drug trafficking and abuse are fragmented among numerous departments, agencies and interagency task forces. Responsibility for drug policy development and coordination is dispersed among an array of Cabinet councils and committees, executive boards and working groups.

The Committee believes that Federal efforts to combat drug abuse and drug trafficking could be more effective if one high-level

Federal official were given clear authority, with the President's full support, to develop drug policy. Such an official could devote full-time attention to drug abuse policy and would provide high-level visibility and leadership at the national level in drug abuse matters. The coordinator would be responsibile for establishing Federal drug priorities and clarifying agency responsibilities. The coordinator would be an advocate within the Administration for the resources needed to address drug problems comprehensively, assuring that the needs of drug abuse missions are adequately represented in the competition for budgetary resources. He would also be responsible for assuring the most effective utilization of agency resources available for drug prevention and control. The coordinator would not exercise line control over the assets of individual agencies and programs, as feared by the Coast Guard. Rather he would exercise broad oversight of drug policy objectives and determine how those objectives can be best carried out with existing resources. The failure to integrate Coast Guard resources into air interdiction, for example, illustrates the need for an overall coordinator to review agency missions and resources across the board to assure that our resources are being used to the fullest extent possible to meet drug control priorities.

(4) The maximum penalties for large-scale marihuana smuggling should be raised, as recommended by the Coast Guard, to 15 years/$125,000, the levels that currently apply to domestic trafficking in marihuana exceeding 1,000 pounds.

In 1980 Congress raised the penalties under the Controlled Substances Act for large-scale domestic marihuana trafficking. It inadvertently failed, however, to increase the corresponding penalties under the Controlled Substances Import and Export Act which are incorporated by reference in P.L. 96-350, the law intended to enhance Coast Guard drug enforcement on the high seas.

We agree with the Coast Guard that this anomaly should be eliminated, and we urge the enactment of corrective legislation. H.R. 3461, introduced by Mr. Minish on June 29, 1983, would accomplish this purpose. We support H.R. 3461 and urge its timely consideration by the Committees on Energy and Commerce and the Judiciary.

(5) The Administration should take appropriate steps to enhance our narcotics intelligence capabilities and should request Congress to approve additional resources where necessary.

Several times during the Committee's hearing, Admiral Gracey emphasized the need for more intelligence collection, analysis, and dissemination to improve interdiction efforts. The Coast Guard has taken a number of steps to increase its intelligence capability, but clearly better intelligence is essential to the most effective use of interdiction resources.

The Coast Guard's testimony parallels that of other Federal agency witnesses who have appeared before the Committee during the past year in our review of Federal drug law enforcement strategy. The Committee strongly urges the Administration to assign the resources necessary for all the agencies with a narcotics enforcement responsibility to expand and improve their intelligence

collection and dissemination capability and that the mandate of the Congress that DEA coordinate the narcotic intelligence of all agencies be reaffirmed. The Congress should be asked for the resources needed to support a strong drug intelligence capability.

c. U.S. Customs Service—June 8, 1983, Washington, D.C.

Witnesses: William von Raab, Commissioner United States Customs Service, accompanied by Mr. George Corcoran, Assistant Commissioner for Enforcement, and Mr. John Hurley, Deputy Assistant Commissioner for Enforcement.

Commissioner von Raab testified that he was distressed to learn on taking office, that drug law enforcement had taken a back seat in the Customs Service under the previous Administration. He stated his primary goal has been to strengthen this aspect of the Service's operations and to prevent narcotics from entering our Nation. One of his first acts on taking office was to increase Customs' enforcement presence in the Southeastern United States and assist the formation of the Vice President's South Florida Task Force. One hundred and two Customs patrol officers were relocated from the northeast to the southeast and south central regions in October 1981 and the first rotation of 256 Customs personnel assigned to the task force reported to Miami on March 15, 1982. In the first year of the Task Force's operations, drug-related arrests and seizures increased dramatically. According to Commissioner von Raab, State and local officials as well as citizens of South Florida are pleased by the progress that has been made, and Federal agencies are working together; cooperation has never been better.

Von Raab emphasized that of particular significance to the Customs Service is the relaxation of the Posse Comitatus statute to permit participation by the military in certain drug interdiction efforts. The Department of Defense has been especially cooperative and helpful in loaning helicopters to assist in drug interdiction efforts.

The Customs Service has also initiated more effective methods of processing arriving passengers and cargo at various ports of entry. Customs has always been confronted by the two competing goals of moving passengers and cargo quickly, while at the same time making sure that antismuggling statutes are enforced. To overcome this problem, new policies and methods selectively concentrate on directing primary attention on the hardcore criminal and leaving more discretion to inspectors. A revised Customs declaration form has been a great help in this process.

Finally, Commissioner von Raab expressed his belief that the budget cuts had not adversely affected Customs operations, but intelligence gathering and processing needs to be strengthened and enhanced.

Select Committee members complained that despite all the glowing comments that had been made by the Commissioner, all the innovations being made by the Customs Service, and all the efforts of the Administration the fact remains that the drug problem is worsening. More drugs are coming into the United States than ever before; purity is higher and arrests seem to have no effect on the situation. In addition, members of the Select Committee complained that an Administration-requested 20 percent reduction of

the Customs Service budget would adversely affect its operations since there is no way that a loss of 2,000 positions, including 820 inspectors and 98 patrol officers could result in a more efficient Customs Service or more effective drug enforcement.

The Commissioner was questioned on the extensive amount of time it takes to forfeit to the government the seized assets of drug traffickers; he agreed that something needed to be done to correct the situation.

The Select Committee expressed dismay that despite the Administration's efforts, the drug problem continues to get worse. The Commissioner countered that it is becoming more difficult to smuggle cocaine by air and sea, making drug trafficking riskier and the chances of interdiction greater.

Finally, the Select Committee voiced concern that the Administration is making it abundantly clear through its budgetary policies and enforcement policies that drug law enforcement is going to be an increased responsibility of State and local governments. The Committee pointed out to Mr. von Raab that State and local governments do not have the resources or enforcement capabilities to meet the narcotics threat.

2. INTERNATIONAL NARCOTICS POLICY

June 22, 1983, Washington, D.C.

Witnesses:

Dominick L. DiCarlo, Assistant Secretary of State, Bureau of International Narcotics Matters

Clyde Taylor, Deputy Assistant Secretary of State, Bureau of International Narcotics Matters

Frederick Schieck, Deputy Assistant Administrator for Program and Policy, Agency for International Development

James Von Wert, Comptroller and Executive Director, State Department, Bureau of International Affairs

The reconstitution of the Select Committee on Narcotics Abuse and Control by H. Res. 49, on February 8, 1983, was based upon the recognition and concern of the 98th Congress that the problem of the traffic and abuse of narcotic and psychotropic drugs has continued to increase in the United States. The estimated retail value of drugs supplied to the illicit market climbed from $50 billion in 1978 to $88 billion in 1982, a 76 percent increase. It is now estimated at $100 billion, an 8 percent increase in one year.

There is, at the minimum, an estimated 500,000 active heroin addicts in the United States. The Northeast, Mid-Atlantic, and Southwest border regions of the Nation are experiencing a dramatic increase in heroin addiction triggered by a steadily increasing influx of heroin from Southwest Asia, particularly Pakistan and Mexico. Indicators of heroin availability and addiction are now rising in other parts of the country, particularly the major urban centers. Heroin originating in Italy and Thailand also contribute a share to the overall availability of the drug, running at an estimated 10 tons for 1983 compared to 4 metric tons in 1980 and 1981. The traffic and abuse of cocaine almost doubled in four years from an estimated 25 tons in 1978 to 48 tons in 1982. For 1983, it is estimated that about 60 tons will enter the country, an increase of 25 percent

in one year. The wholesale price earlier in the year fell from $60,000 per kilo to $28,000 and all reports indicate that the ready availability and lower cost is increasing cocaine abuse and dependency. One out of every four users of cocaine are now reported to commit crime to support their habit and an estimated 8 million users exist in the country.

About 75 percent of the cocaine affecting the United States is clandestinely manufactured in Colombia from coca paste smuggled from Peru and Bolivia where it is produced from coca leaf cultivated in those countries. Since 1981 Colombia has brought on line its own coca leaf production and that also contributes a share to the manufacture and traffic of cocaine in Colombia directed to the United States. About 15 percent of the cocaine entering the United States originates in Peru and 10 percent in Bolivia. In both countries it is illicitly manufactured from coca paste derived from domestic coca leaf production.

Although one survey reports that the use of marihuana among the Nation's high school seniors is leveling off, or is even declining slightly, there is an estimated 25 million users of marihuana in the United States. An estimated 15 to 60 thousand tons of marihuana is estimated to be entering the United States annually from Colombia, Jamaica, and Mexico, to augment an estimated two thousand tons of domestic marihuana. Additionally, the United States is the victim of about 200 tons of hashish annually smuggled from Lebanon, Pakistan, Morocco and Jamaica.

The traffic and abuse of amphetamines, methamphetamines, PCP, methaqualone and hallucinogenic substances, such as LSD, continues unabated. They are either diverted from legal, pharmaceutical stocks or manufactured clandestinely in the United States. Methaqualone, however, has mostly been smuggled from Colombia where it is formulated into tablets from methaqualone powder originating in The People's Republic of China and Hungary and surreptitiously shipped to Colombia from the Free Port of Hamburg. By 1982, an estimated 40 tons of methaqualone was being smuggled into the United States.

Within the past year, DEA and the Department of State, through international cooperation under the aegis of the Convention on Psychotropic Substances of 1971, has been able to reduce the diversion abroad of licitly manufactured methaqualone powder to the illicit traffic, resulting in an estimated 50 percent decrease in the availability of that substance in the United States. This is an excellent example of an enlightened utilization of the provisions of an international drug control convention in the way intended by the authors to curtail an illicit diversion and trafficking problem.

All of the heroin, cocaine, and hashish and 85 percent of the marihuana and practically all the methaqualone affecting the United States is produced abroad by a handful of countries, notwithstanding the fact that the Single Convention on Narcotic Drugs of 1961 and the Convention on Psychotropic Substances of 1971 oblige them to: (1) license, and restrict the legal production, manufacture and distribution of narcotic and psychotropic drugs to medical and scientific purposes; (2) to eradicate all unlicensed cultivation; (3) to suppress illicit manufacture and traffic; and (4) to cooperate with each other in achieving the aims of the convention.

The Department of State, through the Assistant Secretary of State for International Narcotic Matters, is responsible for ensuring that the United States Government implements its obligations under the international narcotic and psychotropic conventions, and that other governments comply with their obligations, particularly those where an illicit cultivation, manufacturing or trafficking problem may exist and be affecting or threatening the United States.

Under the aegis of the State Department, financial and technical assistance was first provided Mexico in 1959, to eradicate illicit opium poppy and marihuana cultivation, and to Turkey in 1968 to assist that country in gradually eliminating gum opium production. In 1971, impressed by the success of the United States Government's bilateral narcotic assistance program to Turkey, the United Nation's Fund for Drug Abuse Control (UNFDAC) was established to assist the governments of countries where problems of illicit cultivation, manufacturing and trafficking existed, but which lacked the resources and technical skills to bring these situations under control as required by the narcotics control conventions. The UNFDAC, between 1971 and 1980 provided assistance at an average rate of $4 million annually for training research, pilot projects and seed money for crop and income substitution programs, and drug abuse prevention and treatment. UNFDAC estimates it will expend about $8 million annually from 1981 through the next five years for similar programs of assistance. Additionally, beginning in 1972, the United States Government formalized its narcotic control assistance program and established a special fund for that purpose. From 1972 through March 1983, $240 million has been expended. The United States Narcotic Control assistance programs provide a wide range of training and funding for research and development programs in crop and income substitution, and drug abuse treatment and prevention. They also provide a wide range of narcotic enforcement support including training, vehicles, aircraft and communications equipment to enhance illicit narcotic crop eradication and illicit traffic suppression, and cooperation.

All of this technical and financial assistance has raised the competence and capability of the recipient countries to address the drug control problem existing in their territory, but with the exception of Mexico and Turkey of the major narcotic producing countries, this assistance has failed to bring any meaningful and long-term reduction in the production and traffic of narcotic drugs in the countries affecting the United States and other victim countries worldwide. Regrettably, in most of the major producing countries, illicit narcotic production, manufacture and traffic has dramatically increased, such as in Pakistan, Afghanistan, Iran, Lebanon, Burma, Peru, Bolivia, Colombia and Jamaica, or stayed about the same as in Morocco, Thailand and Laos.

It is the perception of this Committee, particularly members who have been part of it since 1976, or who have actively participated in the narcotic control activities of the various standing committees prior to the formation of the Select Committee, that our failure in bringing the illicit production and traffic of narcotics so tragically affecting the United States under control, has been one of diplomacy. Not only have we failed to progress or hold a status quo, we

have retrogressed enormously during the past five years. This retrogression will continue unless, in concert with our allies, all friendly countries, and the United Nations, the United States comes to a mutual understanding with all the major illicit producer countries on the extent of their problem and what they are required to do under the Single Convention to bring it under control, particularly the hard political realities of eliminating or eradicating as necessary, the enormous and expanding illicit cultivation which creates and sustains the current worldwide drug problem. For our part, should the illicit producer countries prepare a plan and commit themselves to phase out their illicit production within a reasonable period of time, the United States, all the developed industrial countries, and the United Nations should be prepared to provide the financial and technical assistance needed to assist the illicit producers bring the problem under control. The actual cost of this, based on the experiences of Turkey and Mexico is modest and reasonable, even more so, when the reduction it brings in human suffering and enforcement and treatment costs are considered.

In light of the foregoing, Assistant Secretary of State for International Narcotic Matters, Dominick L. DiCarlo was invited to testify before the Committee on June 22, 1983.

Assistant Secretary DiCarlo's prepared text made the point that the heroin affecting the United States originated predominantly from opium illicitly produced in Pakistan, Afghanistan, Iran, Burma, Thailand, Laos and Mexico. United States relations with Afghanistan, Iran and Laos, at the present time, preclude negotiations with these countries toward having them eliminate this illicit production. Burma and Pakistan, according to Mr. DiCarlo, do not have control over all their growing areas. Thailand to date has been reluctant to begin a program to gradually eliminate its production even though viable crop and other income substitutes have been developed.

Mr. DiCarlo went on to describe efforts by the Governments of Turkey and Mexico, with U.S. assistance, as successful in controlling opium production because both governments had the political will and capability to enforce their laws in the growing areas.

He described the illicit coca production in Peru, Bolivia and Colombia which is responsible for the enormous volume of cocaine affecting the United States and the rest of the developed countries of the world as well as the extensive marihuana cultivation in Colombia and Jamaica.

The conclusion that can be drawn from Mr. DiCarlo's statement is that little or nothing is being done or can be done to bring under control the opium production in Afghanistan, Iran and Laos. In Burma and Pakistan, effective action is precluded by the fact that the governments do not have control in all the growing areas. (This is a situation that has existed for 30 years in both countries and regrettably neither country has made a serious effort to negotiate the political arrangements necessary to bring these territories under their full control and phase out opium production.) In Peru, Bolivia, Colombia and Jamaica, the absence of any organized programs to bring the production of coca and marihuana that exists under control, can only be assigned to a lack of the political will to

take the action those countries pledged themselves to take by ratifying the Single Convention on Narcotic Drugs of 1961.

Mr. DiCarlo in effect described the policy of the State Department in promoting the compliance of governments with their obligations under the international narcotic control conventions as watchful waiting for opportunities to provide assistance and support to a country to bring a narcotic crop under control, at a point when the country might be receptive to doing so.

This might come, according to Mr. DiCarlo, when the country becomes concerned over the abuse of the drugs being produced in the country causing social, economic and health problems or crime and violence or political corruption. These trends were increasing in the producing countries, improving the chances for movement in narcotic crop control, according to Mr. DiCarlo.

Mr. DiCarlo's statement indicated that success in controlling opium production in Turkey and Mexico had to do with the political will and capability of these two governments to do so. The implication is that all other narcotic crop producers lack either the political will or capability to accomplish what Turkey and Mexico did.

The facts, as they are known to this Committee, are that both the political will and capability to bring the problem under control had to be developed through months of serious negotiations with Turkey and Mexico. This led to their recognizing the gravity of the problem caused by their inability to control opium production and that under their international treaty obligations, and given their strong national pride, they had to bring the opium problem under control. Negotiations further established what needed to be done and what support assistance the United States could provide.

It is the experience of this Committee that effective negotiation is the way to political will. Effective narcotic control in problem countries can only be achieved by negotiations which bring about a commitment by a government to comply with the provisions of the Single Convention on Narcotic Drugs and which develop a plan for implementing the necessary courses of action with bilateral and international assistance as necessary.

In Turkey and Mexico, negotiations led to a recognition of the problem and a commitment to bring narcotic crop production under control throughout the country. In Peru, Bolivia and Pakistan, we have not come to any understanding with the governments on the extent of the problem, how they propose to bring it under control, and what international assistance might be needed. Instead, in Peru, the State Department is sponsoring a crop substitution and enforcement program in a single coca growing area, the Upper Huallaga Valley when there are five other important coca growing areas in the country. In Bolivia, a similar program is being initiated in the Chapare region while coca is grown in six other regions. In Pakistan the State Department is sponsoring programs to phase out opium production in two sectors of the merged territories of the Northwest Frontier Province, while heavy production in other parts of the merged territories and in all the tribal areas continues.

The efforts in Peru, Bolivia and Pakistan, will have little impact because the production reduced in project areas will be replaced by increased production in the areas where it is allowed to continue.

Mr. DiCarlo's prepared testimony, in addition to covering crop reduction efforts in producing countries, described narcotic enforcement program assistance to those countries and the networks of transit countries involved in the movement of drugs from source to victim countries. This assistance is useful, but in the absence of commitments by the source countries to implement plans to phase out narcotic crop production, it has no impact on reducing the flow of drugs affecting the United States.

From Assistant Secretary DiCarlo's statement and testimony, it is apparent that there are no negotiations underway with any producer country at this time similar to what led to the success achieved in Turkey and Mexico.

Chairman Rangel in his opening statement said, the Committee inquiry and analysis would be limited to the policies, diplomatic initiatives and technical assistance programs designed to curtail illicit production, manufacture and traffic from abroad of narcotic and psychotropic drugs affecting the United States.

He said the programs and initiatives have been limited in scope and lacked success, in his opinion, because of a failure to establish narcotics as a high enough priority on our international agenda.

Mr. Rangel stated that testimony the Committee had received from district attorneys and police chiefs, pointed out that the narcotics affecting us do not originate in the United States, and that a nation as rich and powerful as ours should be able to achieve total eradication or at least be moving in that direction.

Mr. Rangel raised the credibility problem facing the Congress over the fact that "billions have been spent in efforts to control narcotics and how each member returns to his home district of late to find that virgin areas are now blossoming with heroin and cocaine, and in other areas instead of restrictions we find expansion."

"Liberals and conservatives alike are asking us, 'what are you people doing in Washington?' It is reaching a point where some people are saying, let's legalize it. You and I know that is not a logical approach. We are anxious to have your testimony."

Assistant Secretary DiCarlo's analysis of the volume of narcotic drugs being produced abroad and entering the United States, was based on 1981 data, which he indicated was the latest figures available to him. On the basis of comparing it with the 1980 data for heroin, he reported the volumes about the same. Chairman Rangel asked "why are we not talking about 1982 and 1983?" Mr. DiCarlo replied the data on those years was not yet officially available.

Mr. Rangel said, "all of law enforcement indicates that we are getting more of these drugs in the country, and dramatically more than we ever had. We have towns and villages being exposed to it. In other words, the tonnage has increased." Mr. DiCarlo in the absence of official data for 1982 and 1983 was unable to make a judgment on whether the traffic had increased.

Assistant Secretary DiCarlo next engaged in a lively dialogue with the Chairman and other members in opposition to their favoring a high level White House Drug Policy Coordinator, or "Drug Czar" with access to the President.

Chairman Rangel asked, "what is wrong with the Congress demanding that one person and one office be responsible to the Nation and to the Congress in reporting what we are doing nationally and internationally?"

"The FBI is now running the DEA, Customs is controlling interdiction. You have the Navy, Air Force and the Coast Guard out there. One agency is in charge of investigations and another interdiction. Drug intelligence, I do not know who is in charge of that. We do not even have a director of the DEA."

"If we had hearings and we had every one testifying and if I were to ask who is in charge of all of this, what would your answer be?"

Mr. DiCarlo responded that first and foremost the President and the people he appoints are in charge. Mr. DiCarlo said he would not have a problem with one person acting as a unified public information officer, but he would oppose having one person a so-called drug czar in charge of the narcotic effort with jurisdiction over various departments.

Chairman Rangel said, "as long as we have a President, I do not expect another person to be in control of policy. I would just like one person or office to tell us what the policy is. I am not talking about some public relations officer running around from department to department talking about progress.

"What I am talking about is having someone that could make our Nation believe that we are losing the lives of people. Young and old are dying and we are spending billions for jails and treatment, that it has moved from the poor urban community and involves middle class white America with executives trafficking in cocaine. We need someone to convince people that this is a national problem.

"So when you speak to the President and ask who is in charge of their drug problem, he can give you a name. I know that the Vice President is in charge of twelve task forces, but I have too much respect for him to ask him what is happening with the task forces.

"I am talking about someone who can develop the recognition by the administration and our people that the traffic and abuse of drugs in this country is now a national crisis. We need somebody close to the President who is going to be able to demand the attention of everyone that is appointed. And I am not talking about public relations.

"There is also somebody needed to contain this Congress as we strike back at those nations that we deem are not making progress in the eradication of drugs. This Congress is about to get out of hand in responding to the needs of their constituents notwithstanding the diplomatic impediments you face and deal with."

Assistant Secretary DiCarlo said he hoped the Congress would not get out of hand because if it did, we would not accomplish what we are seeking to accomplish.

Chairman Rangel said, "every time the Congress has gotten out of hand it has brought the desired conclusion, and thank God, we have had experts like you to put the pieces together so that we have been able to maintain our relationship with the concerned foreign countries."

Mr. DiCarlo was concerned lest the issue of narcotics became a single issue matter between the United States and narcotic producer countries with which he indicated the United States had a number of other foreign policy and mutual security interests. He had a philosophical objection to cutting off or threatening to cut off foreign assistance to countries thought to be delinquent in narcotic control on grounds that it might prove impractical and counterproductive to overall United States interests.

Representative Oxley indicated that he could not understand why the State Department could not work with the Congress on the question of cutting off aid to countries delinquent in drug control. Some are totally delinquent, so it seemed to him we had to have some leverage to motivate them. He did not understand the State Department's opposition because it would make their job easier.

Mr. DiCarlo conceded that there was a problem in Thailand because the government is unwilling to enforce a ban on opium production. The problem is one of enforcement, not crop substitution. Representative Hughes said that in his visits to Thailand he found the political situation did not lend itself to crop eradication and added:

"The King feels very strongly in his efforts to protect the hill tribesmen. The Thais have really been struggling to try to come up with a comprehensive program, given all the geopolitical, social, and economic problems that exist at the border. And frankly, I must say that I agree with your assessment; that it would be counterproductive to threaten the Thais with a rescission of aid, because the cooperation we receive in other areas is extremely important.

"That doesn't mean that we should not continue to put the pressure on for a comprehensive crop substitution and eradication program, a follow-through with eradication, when in fact crop control is ineffective, when the hill tribesmen ignore it, but we have an amendment on the books right now, the Rodino amendment, that we don't enforce or we enforce selectively, if at all, for reasons that it could prove counterproductive."

Assistant Secretary DiCarlo responded that "while adopting much of what you say, I think that we have to maintain the pressure, we have to maintain and arouse public opinion. I think we have to put that kind of pressure on the Thais. The problem we have is that there is no evidence, even that they are willing to stop new cultivation and this is the problem I see there."

Mr. Hughes replied, "I think I've said that I just don't think it would be wise for us to threaten these countries with an absolute rescission of aid, for the reason that what if they called our bluff? Where would we go for that type cooperation and assistance, and then, of course, in some countries, such as South America we are not providing aid. How do we cut off aid when we are not providing it?"

Mr. DiCarlo said "there is a belief by many people, and a few Members of Congress, that we are providing substantial aid to these countries, in most cases we are not providing the kind of aid that would be an ultimate leverage point."

Mr. DiCarlo, in response to a question by Mr. Gilman, stated that aid to Bolivia was suspended in 1980, on the basis of their failure to meet the requirements on narcotic control, human rights and democracy.

Mr. DiCarlo stated that international narcotic assistance funding provided by the Governments of the Federal Republic of Germany and Norway in recent years has been a positive and very helpful development. He urged the Committee to remind their colleagues when they visit drug problem countries to raise the issue with the officials with whom they meet. Representative Gilman suggested that Assistant Secretary DiCarlo ensure that Embassy officers in drug problem countries raise the issue at briefings with congressional delegations. Mr. Gilman said he has attended briefings when the drug problem isn't even mentioned.

Chairman Rangel said that on the question of cutting off aid to a country on the grounds of failure to control narcotics, he did not think it was the amount of the money cut off, but the stigma of the fact that the country is identified as not cooperating with the United Nations and that a country as strong and as powerful as the United States feels so strongly about drug trafficking it is cutting off aid.

Mr. DiCarlo went on to express guarded optimism on hope for more effective eradication in Colombia and their adopting the herbicide spray technique. He reported that coca production in Bolivia and Peru was increasing and that the latter country was falling behind on its schedule to eradicate 4,000 hectares of coca in the Upper Huallaga region during the 1983–84 period.

Representative Shaw took exception to Mr. DiCarlo's statement that the Colombian Government cooperates with the United States in many ways. The bottom line, he said, is that they are still producing 80 percent of the drugs affecting this country in the way of marihuana and cocaine.

This is not just an accident of geography, Mr. Shaw said, and he urged that the United Nations investigate the countries that are continuing to supply the world with narcotics.

Mr. Shaw said he is tired of being told by the representatives of the producer countries that it is our problem. Our problem is that we are an affluent country. Any affluent country is going to have the problem because of the freedom we have, as long as those countries, particularly the Third World countries, continue to produce the products that are giving us the problem. Mr. Shaw said that results from Colombian narcotic control cooperation were nonexistent.

Mr. Shaw also expressed concern with the lack of headway on narcotic control in Jamaica. Mr. Shaw said that several months ago he had been in Thailand with Representative Hughes and the Thai Government committed itself to providing a plan to phase out opium production. He asked if they have fulfilled this commitment? Mr. DiCarlo said that the Thais have now promised the plan in the latter part of this year.

Representative Hunter thought assistance under the Caribbean Basin Initiative ought to be linked to narcotic control performance. Mr. DiCarlo thought that might be counterproductive. Representative Hunter said if foreign officials think they can continue to

obtain U.S. aid without implementing effective narcotic control they are less likely to do so.

Chairman Rangel told Mr. DiCarlo that he had effectively thrown the ball back to the Congress by his suggestion that laws which would cut off aid for failure to curtail narcotics cannot be crafted with the precision necessary to ensure that our other vital interests with the country are served.

Mr. Rangel said "we don't enforce laws, we just carefully create legislation and hope and pray that the Administation will appoint people that are sufficiently sophisticated to use them. We are attempting to give you more tools and Mr. Hunter could not have used a better example than Central America, except perhaps just to talk about communism and let the people abroad know how serious we are against things we think are a threat to our way of life.

"Whether it is El Salvador or the leadership in Grenada and the airport which is enough for the President of the United States to point out, we want the same type of importance given to the question of narcotics.

"When we carefully draft this legislation, it is for you to run around with it in your hip pocket, hopefully for the purpose of saying to foreign governments the United States means business.

"It is you, Mr. DiCarlo, who has to respond to the Congress as to why we should continue to feed the very people that are sending heroin and cocaine into our country. I think once we get the attention of the administration, your job is going to be easier and so will mine. And we are going to do it because with all the cooperation we are said to be receiving, the problem is worsening. I challenge you as to how the Congress can make our international narcotic cooperation worse than it is.

"This Committee can't keep going back to our colleagues and Members and report that no matter what we do to press for narcotic controls abroad by delinquent countries, we may do more damage than good because we may offend the country, and aid dollars have a limited leverage anyway; we are told you are negotiating and we have to wait for internal peer pressure to build up within the country; and once their country becomes addicted, it will take the necessary control measures. But we only get two years at a time and we are going to do the best with those two years."

Representative Gilman noted that, in Mr. DiCarlo's prepared statement, he indicated that economic assistance for international organizations should be conditioned on concurrent agreements for narcotic control in the recipient country. Mr. Gilman said, "actually, we are not far apart in our thinking that economic aid should be tied to narcotic control."

Mr. Gilman said, "our legislation requires illicit producer contries to come up with a plan to phase it out and if they fail to implement the plan, then we will refuse to go along with them in other economic areas."

Mr. DiCarlo maintained his position that this could go too far and be counterproductive to other interests of our government.

Mr. Gilman replied that, "We would give you the tools and you would be the administrator and use your own sound discretion."

Chairman Rangel said, "the diplomatic initiatives were simply not working and those people break bread and smile and talk about areas they can't control. I know, it is more important sometimes to stroke the leaders of these countries than to bring up these offensive things; they are very sensitive.

"I am involved in the Caribbean Basin Initiative. I thought marihuana was part of the legitimate crop of Jamaica. They depend upon it, you know for foreign exchange. I don't expect that the President or the Secretary of State would be bringing this up to Prime Minister Seaga, who is all we have got to stop the influx of Castro from dominating the Caribbean now. But someone has to do it, and I will ask Mr. Shaw whether he wants to expand on his observations."

Mr. Shaw said, "I would like to expand on what you just said. I think one of the things that we have to do—we seem to be going in that direction in some things, but not in the area of drug enforcement. And that is to reward our friends and punish our enemies. I think the world may have to—and this has to go forward, that if you allow your farmers, your drug smugglers and all the other people to continue to kill the young of our country, you are not our friend. I think this is the message that has got to go out. And with the political niceties and everything else this has to be up high on the program, way up.

"All these other things are important. It is very important that we stop the spread of communism. I certainly put that as the very highest priority item. But the question is whether, with these countries in an effort to keep an unfriendly government out, we allow them to continue to export the venom that is poisoning the young people of this country.

"To allow this is totally inconsistent with the position taken by this Congress. We have spoken for mandatory type programs. One such area is foreign aid and what we are talking about is that, whether it is one thousand dollars or $118 million, not one dollar should be provided unless the country is doing something to help us. I think some countries are confused that they are helping us when they are not."

In conclusion, Mr. Rangel, on behalf of Mr. Gilman and himself, thanked Assistant Secretary DiCarlo for this testimony and said that "if we had more people like you who understood the problem, the priority assigned to narcotics would be much higher. You are a great representative of our country no matter where you go. I did not hesitate in lauding you when some critics thought you had gone beyond your diplomatic role. Wherever you go, you have the support of the Congress in your portfolio."

3. TRAFFICKING AND ABUSE OF NARCOTICS IN THE NORTHEAST

June 20, 1983, New York City

Witnesses:

Joseph A. Califano, Jr., Former Secretary of Health, Education and Welfare, Washington, D.C.

Robert M. Morgenthau, District Attorney, New York County

Sterling Johnson, Jr., Special Narcotics Prosecutor, City of New York

Martin Horn, Deputy Commissioner of Correctional Services, State of New York

Benjamin Ward, Commissioner of Corrections, City of New York

Deputy Chief Emil A. Ciccotelli, New York Police Department, New York

Major Thomas Muller, New Haven Police Department, New Haven

Deputy Director George P. Hemmer, Newark Police Department, Newark, New Jersey

Deputy Inspector George White, Nassau County Police Department, Nassau

Richard Russo, Assistant Commissioner, New Jersey State Department of Health; Director, Division of Narcotic and Drug Abuse Control

John Gustafson, Deputy Director, Government and Community Relations, New York State Division of Substance Abuse Services

Joseph Sheehan, Deputy Director, Connecticut Alcohol and Drug Abuse Commission

Monsignor William O'Brien, President, Daytop Village, Inc.; President, World Federation of Therapeutic Communities

Richard Pruss, President, Samaritan House; President, Therapeutic Communities of America

Dr. Arnold Washton, Associate Professor of Psychiatry and Director of Drug Abuse Research and Treatment, New York Medical College; Director of Clinical Research, The Regent Hospital

Father Raymond Hand, Executive Director, E.N.T.E.R. (Ecumenical Narcotics Treatment for Effective Rehabilitation)

Levander Lilly, Assistant to the Chancellor, New York City Public Schools

Francis A. McCorry, Director, Drug Abuse and Alcohol Prevention, Department of Education, Archdiocese of New York

Joan Ball, President, New York State PTA

Geraldine Silverman, Member, Board of Directors, National Federation of Parents for Drug Free Youth; Drug Awareness Chairman, Millburn PTA

Hearings by the Select Committee to date in 1983 examined the Federal strategy for drug law enforcement and the roles of the key Federal agencies—Customs, Coast Guard and the Drug Enforcement Administration—in implementing this strategy.

The hearing in New York City focused on the serious and growing problems of drug trafficking and abuse in the Northeast, particularly New York, New Jersey and Connecticut. New York City was chosen for the site of the hearing because it is the chief point of entry and distribution center for heroin smuggled from abroad and it has the worst overall drug problem of any city in the United States.

The Committee reviewed rising indications of drug abuse and drug trafficking and examined how the increased drug availability and use are affecting the criminal justice system, treatment programs, schools, and other institutions. The Committee also looked at the questions of whether the Federal Strategy for prevention of drug abuse and drug trafficking promulgated in October 1982 is responsive to State and local needs and how the Federal Government

can best provide leadership in combatting drug abuse and drug trafficking. Finally the hearing examined a G.A.O. report released on June 13, 1983 entitled "Federal Drug Interdiction Efforts Need Strong Central Oversight."

The testimony from witness after witness presented an alarming and bleak assessment. Chairman Rangel summed up his view of the crisis that is faced:

> The availability of illegal drugs in our society continues to increase despite the billions spent in Federal, State and local enforcement efforts against the threat. Either the size of the challenge is beyond all imagining, or something is wrong in the selection of counter-measures or their execution. Perhaps the choice of battlefield is faulty--we should be fighting more of the war in foreign source countries instead of in our streets.

This view was reinforced by an overview of the drug trafficking and abuse problem presented by former HEW Secretary Joseph Califano, Jr. who, as special counselor to New York State Governor Hugh Carey, authored a major study on drug abuse and alcoholism in New York State. In addition to providing an up-date of his 1982 study, Mr. Califano analyzed the G.A.O. report on Federal drug interdiction efforts.

Commenting on national drug abuse policy Mr. Califano stated, "Nowhere in American life are public policy and political rhetoric so out of touch with reality as they are in the area of drug abuse." Califano noted it was the Federal Government's responsibility to mount a sustained, coordinated attack on drug abuse and addiction but has failed to do so. Mr. Califano highlighted the failure of the Federal Government to keep heroin, cocaine and other illegal drugs out of the country and, instead of increasing support for drug abuse prevention, treatment, and research the Federal budget has drastically reduced funds available for many valuable programs around the country.

Secretary Califano stated that since the submission of his 1982 report to Governor Carey, the drug abuse situation in New York had "gotten worse, much worse." Reviewing the heroin situation Califano stated:

> Heroin is more easily available, in more parts of the country, than it was at this time last year. The street-level purity of the drug has climbed sharply, and the price has declined. . . .
>
> In New York, where the records available are probably the most reliable in the country, the key indicators of heroin use are all up. By the end of 1982, figures for emergency room admissions, serum hepatitis B (plus), and heroin-related arrests were well above the level of the comparable period in the year before, and dramatically higher than the levels that prevailed in the 1970's.

Remarking on the increasing use of cocaine as drug of choice, Califano noted that the number of cocaine users in the State has more than tripled in the last five years, and the drug is now being used by many people who had no previous experience with illegal drugs.

Mr. Califano told the Select Committee that, "Across the Nation, cocaine-related admissions to treatment programs have increased 300 percent in just five years."

Secretary Califano urged the Committee to explore ways to elevate drug abuse policy-making within the Executive Branch. Mr. Califano urged the Select Committee to support legislation that would create a cabinet-level drug abuse policy office. In this regard he analyzed a recently issued G.A.O. report on Federal drug interdiction efforts. The report criticized the failure of the Federal Government to coordinate drug interdiction efforts effectively. Mr. Califano supported the conclusion reached by the G.A.O. that the authority and responsibility for drug interdiction is split among three agencies in three executive departments, with each agency having different programs, goals and priorities. This fragmentation produces inefficiency and interagency conflict.

Mr. Califano concluded his testimony by making the following recommendations to the Select Committee:

1. Establish a National Institute on Addiction whose function it would be to coordinate all research on addiction and help us learn how to break addiction's tenacious grip.
2. Increase funding and research into new and better drug abuse treatment programs, and target some of that effort toward captive populations in jails and prisons.
3. The creation of saturation campaigns to prevent drug abuse, and early intervention programs to help potential abusers at the first signs of trouble.
4. Increase penalties for the sale and possession of illegal drugs.
5. Cut off the flow of illegal drugs at our borders by ensuring better coordination of Federal efforts, and by putting more pressure on the nations from which illicit drugs come.

Califano concluded by calling addiction "America's number-one health problem and its number-one crime problem."

Robert Morgenthau, the District Attorney for Manhattan, testified that the Federal effort and commitment to the drug fight is less today than it was five years ago and totally out of balance with the significance of the problem. New York City on the other hand has greatly increased its commitment and resources. In 1982, there were 2,700 drug indictments compared with 1,200 in 1980. By comparison, the U.S. Attorney's Office for the Southern District has less than 200 drug cases a year.

Morgenthau stated that if we are going to deal with this problem there has got to be a very significant commitment of Federal resources. This means not only enlarging Federal manpower, but also giving monetary support for local law enforcement. Morgenthau further stated:

> The Federal Government under the Constitution is responsible for domestic tranquility. That is a mandate under the Constitution. These drugs are coming in from Southeast Asia and Southwest Asia and from South America from Pakistan from Afghanistan—from the Northwest frontier of Pakistan, from Iran . . . This is a national and

> international problem and one that cannot be dealt with by local law enforcement.
>
> It's as though the Army Corps of Engineers said to people along the Mississippi, "We cannot deal with the flooding of the Mississippi, you have to deal with it, get out there with mops and mop up the water." That is what we are trying to do here in New York City . . . Mop up the flow of heroin and cocaine that is coming in from overseas and coming in over borders over which the Federal Government has the responsibility to police and maintain . . . (and yet this government) has not been able to spare a dime to support the Special Narcotics Prosecutor, not a dime.

Responding to Mr. Morgenthau, Congressman Rodino called for increased Federal leadership to combat both drug abuse and drug trafficking. Mr. Rodino said, "There must be a national commitment to deal with this grave problem, it cannot be conquered by local efforts alone".

Mr. Morgenthau's observations were reinforced by Martin Horn, Deputy Commissioner of Correctional Services, for the State of New York. "I believe that the state is being asked to clean up the flotsam and jetsam, if you will, of the Federal problem with few if any financial support for these efforts." Commissioner Horn testified that New York State houses in excess of 30,000 inmates, and that 61.7 percent of those inmates committed to the Department in 1982 had used drugs prior to the commission of their offense, or had been under the influence of drugs at the time of their offense.

Commissioner Horn informed the Committee that the facilities were operating at 116 percent of capacity and have reached the point of denying admission to commitments from counties outside the City of New York in record numbers. "Prison overcrowding," stated Commissioner Horn, "is a direct result of the failure to control the drug traffic and the drug abusers in New York."

Testimony at this hearing pointed out a growing pattern throughout the Nation. Drug addiction and abuse have had a nearly catastrophic impact on every segment of our criminal justice system. The odds are overwhelming that an addict or drug abuser who breaks the law will not be arrested. But if arrested, the odds are that the system will not convict and sentence him. There is a need for more prosecutors, more judges, more agents, and more prisons on both the State and Federal level. Witnesses at this and other hearings have come very close to stating that law enforcement and prosecution of narcotics violators is dependent upon the availability of those resources. The following is an exchange between the Chairman and Benjamin Ward, Commission of Corrections of the City of New York:

CHAIRMAN. . . . why do we hear about complaints of jails and prisons being overcrowded?

Mr. WARD. They are overcrowded. As a matter of fact, they are all filled up . . . and I am almost at the point where I cannot take another person in . . .

CHAIRMAN. But you are not suggesting that some of the judges recognize the population of the jails and therefore sentence accordingly, are you!

Mr. WARD. . . . as it relates to jails, I do believe the fact that jails are overcrowded does influence the bail practices and possibly even some of the sentencing practices of the judges . . .

CHAIRMAN. . . . if the policeman knows the District Attorney is not going to entertain that arrest, then he of course is governed accordingly. If the District Attorney knows that the judge is not going to entertain that complaint or indictment, then he of course is conditioned as to which case he has taken from the Police officer. If the judge knows that there is a crisis in the jails or in the prison systems as to how many people can be contained . . . then he of course conditions his bail practices and sentences accordingly.

I suppose it gets to the Parole Commission and they have to consider who is going to be let out of the system.

You mentioned marihuana. I believe that many policemen on the beat are not thinking about busting people for marihuana crimes being committed in their presence. Am I right or wrong?

Mr. WARD. Your are right. It is around lunch time now. Go outside and you can see it right around here.

This hearing also examined the Federal Strategy as it pertains to treatment and prevention. Richard Russo, Assistant Commissioner, New Jersey State Department of Health and Director of the Division of Narcotic and Drug Abuse Control observed that the Federal strategy of 1982 is fundamentally similar to all previous strategies that is attempting to reduce the supply and the demand of illegal drugs. However, this administration's strategy signals a major shift in emphasis to international and domestic interdiction of illicit drug production and distribution and away from demand reduction through prevention and treatment.

Russo testified that this is the major weakness in the strategy for it assumes that the abrupt reduction in the level of Federal contribution to prevention and treatment programs will be assumed by State and local governments in cooperation with the private sector.

The weakness in this approach is compounded by the further assumption that heroin abuse is decreasing, an assumption that is untrue in New Jersey, New York and Connecticut. According to Mr. Russo, New Jersey has the highest percent of heroin admissions of any State, and it is second only to New York of actual heroin admissions.

The National Institute on Drug Abuse reports that between 1980 and 1983 the Federal outlays for drug enforcement increased 30 percent. The outlays for drug abuse prevention and treatment decreased by 55 percent. New Jersey, according to Mr. Russo, lost 5 million dollars during this period—4.2 million Federal dollars, 800,000 in State dollars. "This represents 28 percent of New Jersey's treatment and rehabilitation effort," said Mr. Russo, "and I can assure you that in New Jersey no combination of State or local taxes, increased insurance benefits, private sector contributions or community self help groups will fill this gap in the time envisioned by the '82 Federal Strategy."

The description pertaining to New York State was just as graphic. John Gustafson from the New York State Division of Substance

Abuse Services observed that New York State suffers with the largest narcotic trafficking and addiction problem in the world. Both Federal and State estimates place the number of narcotic addicts in New York State between one-third and one-half of those in the country, approximately 241,000.

In the transition from categorical to block grant programs, New York State lost 8½ million dollars. Mr. Gustafson, in his testimony before the Committee, questioned the wisdom of this strategy:

> . . . when you take into account the well demonstrated cost effectiveness of treatment. For example, the average costs to State and Federal Governments of an unemployed male substance abuser is $7,000. The cost of a crime committed by an active heroin addict within New York State is estimated to be $26,000. If that individual is involved in the criminal justice system from arrest through incarceration, the costs exceed $20,000 per year. That same individual can be treated for an average cost of $2,840. We think clearly it is the cheapest game in town.

Many witnesses from law enforcement to treatment and prevention professionals testified as to the need for education programs as one of the best ways to combat the drug abuse epidemic. Dr. Ward, Commissioner of Corrections commented:

> . . . and I believe you might be misguided to listen to law enforcement people like myself, Mr. Morgenthau and Mr. Johnson, that all the money needs to be put into law enforcement. I don't believe that will do the job.
>
> I believe that you have to put a lot more money into education and start that education at pre-kindergarten . . . I believe that by the time it gets out on the street, by the time law enforcement people get into it we have already gone a long way toward losing the battle.

Sterling Johnson, Special Narcotics Prosecutor agreed:

> . . . I think that as soon as the child learns to speak, whatever language he is speaking, then he should be taught about drug abuse and the evils of drug abuse. . . When you talk about treatment and criminal justice as Commissioner Ward said, it is already too late. . . They are really signs that we have failed somewhere along the line.

Francis A. McCorry, Director of Drug Abuse and Alcohol Prevention, Department of Education, Archdiocese of New York, recommended that the members of this committee:

> . . . try for a change in prevention, since it is obvious that no matter how much treatment is available, there will always be too many people in need of treatment and too many drugs for those people to take.
>
> I think it is time we looked forward rather than backward in terms of this problem, toward putting structures in place in our schools . . . to provide the education and alternative activities for kids not involved with substance

use and . . . to work with those kids who have initiated substance abuse.

Dr. Arnold M. Washton testified about the adverse effects of cocaine on health and functioning. In February of 1983, he established the first telephone hotline for cocaine abusers in the New York metropolitan area. At the time of the hearing, the hotline had received over 5,000 calls, sometimes at the rate of 100 per day. Based on the large volume of calls received, as well as his own clinical observations, and data on cocaine use collected by the National Institute on Drug Abuse, Washton told the Committee that cocaine use in the United States has reached epidemic proportions and continues to soar at alarming rates as middle class and working class individuals become more heavily involved with this drug.

Washton presented the results of extensive interviews conducted with a representative random sample of hotline callers. Callers reported a high incidence of cocaine use and a wide range of adverse consequences including pyhysical symptoms (exhaustion, sleep problems, nose bleeds, headaches, weight loss, trembling, grand mal seizures with loss of consciousness); psychological symptoms (paranoia, depression, suicidal thoughts, loss of motivation, memory problems); impaired job performance; impaired personal relationships; and financial problems. On the basis of these findings, Washton told the Committee that, contrary to popular beliefs, cocaine cannot be regarded as a safe recreational drug. Rather, he said, his findings show that cocaine is a dangerous, addictive drug with high abuse potential. He also told the Committee that there is no safe way to use cocaine, contrary to the popular belief that snorting the drug will not lead to compulsive use. His study shows that intranasal users were just as seriously affected by the drug as persons who were injecting cocaine or smoking the drug in its free base form.

Washton's testimony cited several factors as contributing to the rapidly increasing and widespread use of cocaine in the United States including:

—The potent reinforcing effects of cocaine;
—The widespread availability of cocaine;
—The reputation of cocaine as a "high-status" drug; and
—The unfortunate misconception that cocaine is a safe drug.

Washton told the Committee that adverse consequences of cocaine use are likely to become more prevalent and visible during the next few years in the form of increased cocaine-related emergency room visits, treatment admissions, autombile accidents, suicides, impaired work performance, and disruptions to families, careers and personal lives of thousands of users. He recommended:

—Increased efforts to develop new treatment approaches for cocaine abuse. At present, there is no treatment for cocaine abuse with demonstrated effectiveness, he told the Committee.
—Intensified research to better understand the basic biological, psychological and social factors contributing to the cocaine epidemic.
—Increased dissemination of information to the public about the consequences of cocaine use to health and functioning.

In response to questions from the members, Washton told the Committee that there is no single treatment modality that is best for all persons with drug abuse problems. Rather, treatment must be tailored to meet the needs of individuals. He also cited two factors prohibiting the private sector from being better equipped to handle drug abuse problems so that the burden does not rest entirely on publicly funded programs. One is that diagnosis and treatment of drug abuse is not a standard feature of training for physicians and mental health professionals. He recommended mandatory drug abuse training for medical students and graduate students in mental health fields. The second is that most insurance companies, third-party payers, have only limited or no reimbursement for drug or alcohol abuse treatment.

4. DOMESTIC MARIHUANA ERADICATION

Redding, California, July 22 and 23, 1983

Witnesses:

Ron Hoffman, California Bureau of Land Management

Dave Howard, California Bureau of Land Management

Zane Smith, U.S. Forest Service

Ed Hastey, State Director, California Bureau of Land Management

Anna Sparks, Supervisor of the Fifth District of Humboldt County, California

Hal Brooks, Sheriff of Butte County, California

Jim Jones, Attorney General of Idaho

Frank Navarette, Director of the Arizona Criminal Intelligence Agency

Bob Hamilton, Deputy Attorney General of Oregon

Thomas Byrne, Cannabis Investigations Section, Drug Enforcement Administration (DEA)

Joseph Krueger, DEA

Steve Helsey, Director, California Bureau of Narcotics Enforcement

Robert Muir, Manager, Forestry, Southern Pacific Land Company

Thomas Crofoot, Deputy Secretary for Law Enforcement Liaison for the Youth and Adult Correctional Agency of California

Kathy Hansen, Shasta Chapter of the American Dressage Society

Carla Lowe, Vice President, National Federation of Parents for Drug Free Youth

The hearing site of Redding, California provided the Select Committee Members an opportunity to see first hand the extent and seriousness of the domestic marihuana problem in a major area of domestic cultivation. Northern California, Oregon, Washington State and Idaho have become heavy marihuana producing areas in this Nation.

The fact that domestically grown marihuana allegedly accounts for 15 percent of the marihuana consumed in the United States presented the Select committee with an important task in assessing the extent and nature of the domestic marihuana problem.

Another immediate problem related to the issue of domestic marihuana cultivation was the fact that much of the domestically grown marihuana was cultivated on Federal or public lands, and this fact has created serious law enforcement problems. The Committee heard from several witnesses, among them timber industry representatives and foresters, that cultivators threaten bodily harm to anyone who stumbles upon the marihuana plots. The use of booby traps, punji sticks, guard dogs and trip wires makes eradication of the marihuana crop a challenging undertaking in itself.

The Committee learned in the hearing that there was no complete data on the amount of marihuana cultivated domestically. There are widely varying estimates on the amount of the marihuana grown, and also on the amount of the total crop eradicated or seized each year. Some law enforcement officials claim that at least 50 percent of the domestic marihuana is detected and seized while others stated that it is far less.

The Committee was also surprised at the vast differences in the value given to domestically grown marihuana. Witnesses indicated that a single plant of marihuana is worth from $1,200 to $4,000, giving a wide range in any estimates. The sinsemilla variety of marihuana is of extremely high quality and is frequently cultivated indoors through the 'ninety day wonder' method. Total domestic marihuana production is estimated at $10 billion annually.

Chairman Rangel expressed his grave concern that the increasing domestic marihuana market adversely affects United States efforts to bring international narcotics production under control. He stated that "Marihuana production in this country has an important bearing on our diplomatic initiatives to get the foreign countries to eradicate their illegal drug crops, including the raw materiels of heroin and cocaine as well as marihuana."

Because the United States is a party to the Single Convention on Narcotics Drugs of 1961, and because the United States has entered into bilateral agreements with other nations in an effort to curb and eradicate narcotics production, it is imperative that the domestic marihuana question be addressed and solutions proposed immediately. Chairman Rangel stated that some action had to be undertaken in the very near future if our Nation was to continue to be a leading voice for international eradication efforts.

Another aspect of the international concerns expressed during the hearing was the use of paraquat to eradicate domestic marihuana. It was agreed that the United States could not expect other nations to embark on massive aerial spraying campaigns if our Nation hesitated on the use of this effective herbicide. Manual eradication efforts have proven effective in many States because the plots are small and manual or mechanized eradication is more cost effective than aerial spraying of small plots.

The Committee was concerned to learn that in a specific Range in California, the King Range, 18 marihuana plots had been uncovered, but only two had been destroyed by local authorities. Owing to the inaccessibility of the plots because of the mountain terrain and lack of helicopter support, manual eradication efforts had become dangerous and required too much time. Local authorities suggested that the National Guard or the military might be helpful

in assisting with the eradication process because of their equipment capabilities as well as their expertise in various terrains.

The major concern echoed throughout the hearing, and articulated by State and local witnesses, as well as the Members of the Committee was the seeming lack of Federal involvement in the domestic marihuana problem. Historically, the States and localities have been responsible for the eradication of the small, sporadic plots of marihuana traditionally cultivated up to a few years ago as well as the prosecution and the financial burdens associated with these aspects of enforcement. However, witness after witness implored the Committee to take the message back to Washington that more Federal funding was necessary for the fight against the now widespread domestically cultivated marihuana which is expanding.

Recent reductions in the Drug Enforcement Administration personnel in the Western region gave the State law enforcement authorities the impression that the Federal Government did not view the marihuana problem as significant or serious. The fact that there has been very limited Federal assistance to the States to combat the marihuana cultivation problem has placed massive financial burdens on localities for the actual eradication of the marihuana, as well as for any prosecutions that result from the arrest of the cultivators.

Local witnesses told the Committee that their prosecutorial budgets are often depleted after the investigation and trial of a single marihuana case.

Although DEA's domestic marihuana eradication program consists primarily of financial assistance to the States to help defray eradication expenses, to train State and local officials in the detection and eradication of marihuana, to conduct seminars for prosecutors, and to develop a public awarness campaign, the funding for this program for 1982 amounted to only $923,000, of which $87,500 was allocated to California for its Campaign Against Marihuana Planting (CAMP) program. According to DEA, the funding for 1983 has been increased to $2.4 million, of which $175,000 will be allotted to California. Given the magnitude of domestic cultivation of marihuana in this country and the urgency to elevate this program to a top priority on the Administration's agenda, the funding level for DEA's domestic marihuana eradication program remains pathetically small.

Some investigations can spread to several States and involve many individuals.

Anna Sparks, Supervisor of Humboldt County, California, succinctly stated the problems faced by local jurisdictions when they seek to prosecute marihuana cultivators:

> When the State mandates where most of our money goes, we have a very limited budget, our last seven homicides have been directly marihuana-related, have cost us almost a million dollars in court costs, sheriff and investigation fees and everything else.
>
> We have two marihuana growers that come in and they steal each other's crops, so we have gunfire, so they kill each other but . . . they have done it in Humboldt County

and we have to then go half across the world to bring witnesses and everything else from all over.

We are flying our people clear back to New York. We are trying to bring these people who are witnesses for prosecution. We don't have the money.

The Federal enforcement effort was criticized in several areas:

The Federal agencies have not been cooperative with each other, and therefore ineffective in the task at hand.

There is an insufficient level of Federal enforcement resources, equipment and manpower, as well as funding.

Federal authorities are often unwilling to share intelligence on domestic marihuana with local and State officials.

There is no real financial assistance to local and State authorities and in fact, cutbacks have been made which adversely affect any efforts made in the eradication area.

The Committee assured the local and State authorities that efforts would be made to secure additional funding for the marihuana eradication program, and that additional resources would be requested from the Department of Defense and other Federal agencies.

There was agreement among the witnesses and the Committee that local and State authorities should continue to have the major responsibility for eradication and enforcement, since their expertise was necessary if the marihuana program was to be a success. However, the Committee states that no program could be successful if the Federal assistance was not increased.

Local and State witnesses also agreed that there should be better coordination among themselves, as the domestic marihuana problem had ceased being one of simple jurisdiction, but had expanded to a regional, if not national problem. The Committee learned that in some of the Western States, cultivators are working with traffickers to produce marihuana on "consignment." The domestic marihuana problem is increasing in scope and severity, and law enforcement officials believe that as their efforts to eradicate domestic marihuana meet with success, the growers will move elsewhere to conduct their business.

During a field trip to the rugged and isolated terrain of Lake County, California the members of the Committee had the opportunity to see the harvesting and removal of 600 marihuana plants which were then taken to the airport in Lakeport for seizure and subsequent destruction. One of the major concerns that the Members expressed after their field trip was the extent and sophistication of the cultivators' irrigation systems which allow the marihuana fields to grow virtually untended. The irrigation system uncovered during the field investigation had been manufactured in Israel, and was equipped with a sophisticated timing device to automatically control the irrigation.

The Select Committee came away with several findings. The lack of coordination among the local, State and Federal authorities, and the general lack of information and resources available to those agencies make the fight against marihuana cultivation a difficult battle to win. The serious shortage of manpower from the Drug Enforcement Administration reflects a lack of Federal commitment to

the eradication effort. This lack of Federal commitment contrasts sharply against the deep dedication and resolve that the local agencies have as they attempt to eliminate the marihuana crop from their jurisdiction, despite the violence and expense that face them in their task.

The Committee recommends increased Federal funding, under the aegis of DEA for manpower and equipment increases to assist the local State and local agencies in their marihuana eradication efforts. Arrangements should also be made for the Army and National Guard to provide air and ground transportation support to the State and local authorities conducting marihuana eradication operations.

Another suggestion made during the hearing was the imposition of substantial prison terms for the cultivators to discourage this activity.

5. EFFECTS OF DRUG TRAFFICKING AND DRUG ABUSE IN THE SOUTH FLORIDA COMMUNITY

October 12 and 13, 1983, West Palm Beach, Florida

Witnesses:

Herman Askren, Mayor, Everglades City, Florida

Jon R. Thomas, Deputy Assistant Secretary of State, Bureau of International Narcotics Matters

Stanley Marcus, United States Attorney, Southern District of Florida

Rear Admiral Donald C. Thompson, Commander, Seventh Coast Guard District, National Narcotics Border Interdiction System, Regional Coordinator

Peter Gruden, Special Agent-in-Charge, Miami Division, Drug Enforcement Administration

Robert N. Battard, Regional Commissioner, Southeast Region, United States Customs Service

Joseph V. Corless, Special Agent-in-Charge, Miami Division, Federal Bureau of Investigation

John J. Jamason, Chief of Police, West Palm Beach, Florida

Ebenezer Paikai, Chief of Police, Mangonia Park, Flordia

Jim Holt, Sheriff, Martin County, Florida

George Bresher, Sheriff, Broward County, Florida

Major Nicholas G. Navarro, Commanding Officer, Organized Crime Division, Broward County, Florida

Nancy Sayler, Chairman, Gain Awareness Through Education

Jeffery Maumquist, Management Advisory and Research Center, Incorporated

Hon. Paula Nessmith, Chairman, Palm Beach County School Board

Gary Frechette, Program Specialist, Department of School Board Safety, Palm Beach County School Board

Hon. Hugh S. Glickstein, Judge, Fourth Appellate Circuit, Chairman, Florida State Bar Committee on the Needs of Children

Michael Tremor, Health Education Consultant, Florida Department of Education

Armando Codina, Miami Citizens Against Crime

Admiral Vann Edsall (Retired), United States Navy, Executive Director, Miami Citizens Against Crime

James L. Harley, Deputy Director, Division of Local Law Enforcement Assistance, Florida Department of Law Enforcement

John Sullivan, Special Agent-in-Charge of Marihuana Education, Florida Department of Law Enforcement

Jerol Phillips, Department of Health and Rehabilitative Services, State of Florida

John Daigle, Executive Director, Florida Alcohol and Drug Abuse Association

David H. Bludworth, States' Attorney, Fifteenth Judicial Circuit

Joseph P. D'Alessandro, States' Attorney, Twentieth Judicial Circuit

Michael J. Satz, States' Attorney, Seventeenth Judicial Circuit

Robert E. Stone, States' Attorney, Nineteenth Judicial Circuit

This hearing was called to assess the effectiveness of the Administration's drug interdiction efforts in the Southeastern United States, most notably the South Florida Task Force on Crime headed by Vice President George Bush. The Committee's study mission to Latin America in August, 1983, made this hearing well-timed. The Select Committee observed an enormous production of coca in Peru, Bolivia and Colombia, and marihuana in Colombia and Jamaica, during its study mission. Southern Florida has been the traditional gateway into the United States for much of the marketable cocaine and marihuana that is consumed. In response to this drug trafficking threat, as well as the attendant crime that is related to south Florida's drug and immigration problems, the administration in early 1982 created the South Florida Task Force (SFTF).

The Task Force; which consists of personnel from DEA, the Customs Service, the Bureau of Alcohol, Tobacco, and Firearms (BATF), the Bureau of Immigration and Naturalization (I&N) and the Coast Guard, has made drug interdiction and enforcement its primary mission. In carrying out this responsibility, the task force has achieved some notable accomplishments. Since the inception of the South Florida Task Force on March 15, 1982, through August 31, 1983, the following results were achieved:

1,581 Arrests
376 Cocaine seizures, totaling 7,088 pounds
577 Marihuana seizures, totaling 1,963,658 pounds
9 Methaqualone seizures, totaling 160,463 dosage units
75 Vehicle seizures, valued at $627,325
26 Aircraft seizures, valued at $1,720,500
184 Vessel seizures, valued at $16,523,050
125 Currency seizures, totaling $2,560,500
350 Firearm seizures, valued at $135,191

Notwithstanding the Task Force's efforts, it has not significantly reduced the availability of illegal drugs coming into the U.S. from Latin America. In September, 1983, DEA announced that a "cocaine glut" exists in the United States making cocaine more available and affordable to groups beyond its traditional upper class monied customers. DEA, in making this announcement, noted that the price of cocaine had dropped dramatically in major urban cen-

ters around the Nation during 1983. This fall in cocaine prices reflects plentiful crops in the traditional coca growing areas of Peru and Bolivia, along with newly cultivated areas in Colombia. In addition, marihuana trafficking had been diverted to routes along the Gulf States, Georgia, California, and the Northeastern United States away from Florida.

Chairman Rangel, in his opening statement, made the following observations:

> Notwithstanding the operation of the South Florida Task Force for over a year and a half, the availability of illicit drugs in our country remains wholly unabated. What does this mean? Yes, the Task Force was and is a necessary effort. And yes, it has had its successes: record seizures of narcotics and over 1,600 arrests. Most important, it restored a sense of order and safety to the South Florida community where before there was an atmosphere of chaos and violence. Yet we must measure the success of our interdiction efforts on a national scale.
>
> A concentration of manpower, equipment, and resources in part of our Nation performing a credible job does little good if illicit drugs are readily available in Harlem, Los Angeles, Jersey City, or Washington, D.C. To look at it any other way would be in effect saying the operation was a success but the patient died. Notwithstanding the South Florida Task Force, our Nation is dying under the continuous scourge of drug abuse and addiction.

The hearings focused on the need for more effective cooperation and coordination amongst the various law enforcement agencies charged with combatting the drug problem. Other areas brought to light were the lack of resources, both manpower and budgetary, against an ever-growing increase in the level of sophistication employed generally by the drug traffickers. Further, the Committee was made aware of how important marihuana eradication is in this country and abroad as well as the need for more extensive drug abuse prevention and education programs.

The corrosive effect of narcotics smuggling was underscored by Mayor Askren of Everglades City, Florida, a town of five hundred thirty-four people. He stated that he had seen, "good hard-working people turn to criminal activity because of the money involved," how drug smuggling made outlaws out of good citizens who saw it strictly as a business proposition.

The testimony presented by the Federal panel of witnesses highlighted the need for increased budgets and greater cooperation of foreign governments in curtailing the cultivation of illicit narcotics. Jon Thomas from the Department of State noted that reducing the flow of narcotics from Latin America is the Bureau of International Narcotics Matters' highest priority. He noted however that INM's efforts have been frustrated by budgetary constraints, the lack of cooperation by foreign source countries, and outdated extradition treaties.

The United States Attorney for the South Florida District, Mr. Marcus noted that his office has focused increasingly on the laundering of the assets involved in drug trafficking with added empha-

sis on the forfeiture of these assets. However, with the country's largest caseload, Marcus likewise noted the need for additional judges.

Admiral Thompson of the Coast Guard stressed the need for cooperation amongst the various agencies mandated to enforce the Nation's drug laws and the need too, for more manpower and increased penalties to combat the new methods being employed by traffickers. DEA's Gruden, and Customs' Battard, concurred with the need for furthering cooperation and coordination amongst the different agencies while agreeing with Admiral Thompson, that despite record seizures, there is a glut on the cocaine market. Mr. Corless of the FBI noted the need to eliminate the supply of drugs while increasing our educational efforts in order to reduce the demand.

The Committee's panel of local law enforcement personnel, Jamason of West Palm Beach, Paikai of Mangonia Park, Holt of Martin County, Bresher and Navarro of Broward County, criticized without exception, the lack of interaction with the Federal authorities. Indeed, the Chief of Police of West Palm Beach, John Jamason said, "I have never spoken to anyone from the [Federal] Task Force since its inception . . . All I know of the Task Force is what I read about in the newspapers." This, notwithstanding the fact that the view was expressed by others to the effect that, "the traffickers are insinuating themselves [even] into the political structure of the community," while cocaine use, as well as acceptance of drug use generally, is on the rise.

Nancy Sayler of Gain Awareness Through Education (GATE) and Jeffery Maumquist of Management Advisory and Research Center (MARC) Inc., testified on behalf of local drug abuse prevention and treatment programs. The idea was expressed by both that the key to combat the drug problem is to educate the young in the school system and to identify those who show traits of narcotic dependency at an early age.

The Honorble Paula Nessmith, Mr. Gary Frechette, Honorable Hugh Glickstein and Mr. Michael Tremor addressed those educational efforts currently being undertaken in South Florida. Again the consensus of opinion was that the Nation's first concern should be to teach our children to say, "No," to drugs. The stress was on a statewide curriculum in the schools, reaching children from kindergarten through senior high school. The Committee expressed concern, however, that the State Education Department has not mandated that the statewide drug education curriculum be used in every school district in Florida. A particularly disturbing pattern of naivete and disinterest on the part of parents was brought to light by these witnesses.

Mr. Armando Codina and Admiral Vann Edsall, USN (ret.), both of Miami Citizens Against Crime praised the work of the South Florida Task Force as giving relief to the impression that "two years ago Miami was a city under siege;" that now there is a sense of hope. The view was shared that notwithstanding the fact that, "the [South Florida] Task Force is outmanned, outspent and outmaneuvered by drug traffickers, and failure of the effort merely indicates that there are no short-term answers." Seizures are up and more resources are needed nonetheless according to the witnesses,

but, as claimed by Admiral Edsall, the real problem lies in the demand for narcotics—that the bulk of our efforts need to be applied toward reducing the demand.

Messrs. Harley and Sullivan spoke and addressed the Committee's questions on behalf of Florida's Department of Law Enforcement. Mr. Harley again focused on the need for more cooperation with the Federal agencies working in South Florida to curtail narcotics abuse and stated, "drug cases continue to comprise . . . a significant portion of the resources expended by law enforcement agencies in [Florida]."

Both witnesses testified to Florida's experimentation with paraquat to eradicate domestic marihuana. Sprayed on growing marihuana plants in order to kill and dry them for more efficient disposal, Mr. Sullivan indicated, however, that not only is there some danger even in the proper use of the chemical, but that it is also lacking in cost effectiveness when applied to smaller plots.

Testimony was received from a statewide treatment and education panel to the effect that not only is drug abuse increasing, but also of concern is that the treatment population is getting younger. Ms. Jerol Phillips stated a sentiment heard all too often throughout the two days of hearings, that the overall effort to combat drug abuse suffers from the lack of coordination.

"We've not felt a strong commitment by the Federal authorities because there is no one person who actually pulls all of the various agencies together in a coordinated effort," said Ms. Phillips. As to the impact of the Alcohol, Drug Abuse, Mental Health Services (ADMS) Block Grant, Mr. John Daigle of Florida's Alcohol and Drug Abuse Association testified that while the State of Florida made up 90 percent of the losses created by this program, the money might have been put toward new efforts.

The final panel heard by the Committee represented local criminal justice concerns and was composed of four States' Attorneys. Messrs. Bludworth, D'Alessandro, Satz and Stone, again without exception, stressed that cooperation amongst the State and Federal authorities who oversee the effort against narcotics "is not what it should be," while the State's coffers continue to be stricken by budget cuts.

6. FEDERAL DRUG STRATEGY

November 1, 1983, Washington, D.C.

Witness: Dr. Carlton E. Turner, Special Assistant to the President for Drug Abuse Policy, accompanied by Daniel Leonard, Deputy Director, Drug Abuse Policy Office, The White House

The hearing was called to assess the overall development and implementation of the 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking, released by the Administration on August 20, 1982. The Committee sought to explore the circumstances under which the Strategy was developed; how implementation was being coordinated among the numerous departments and agencies; and whether there was a proper balance of supply and demand reduction incorporated in the Strategy.

In his testimony Dr. Turner outlined for the Committee his role in both the formulation and implementation of the Federal Drug

Strategy. He expressed the view that he was the prime mover in setting the drug policy and overall coordinator of efforts to implement those policies. The Cabinet Council on Human Resources oversees implementation of the health-related aspects of the Federal Strategy, and Dr. Turner chairs the Council's Working Group on Drug Abuse Health Issues. Dr. Turner stated that a report on the Working Group's efforts will be submitted to the Cabinet Council in the coming weeks and will include further recommendations for consideration.

Dr. Turner described the drug abuse problem as not simply a Federal problem, but a National problem requiring a National effort and response. He claimed such a National effort has been promoted and developed by the Administration and is characterized by a high level of commitment, innovation and cooperation through the public and private sectors. Organized parents groups, which have grown from 800 to about 4,000, were offered as a prime example of the National effort. He cited involvement by the private sector including "Pharmacists Against Drug Abuse," sponsored by McNeil Pharmaceutical, and "The Chemical People" campaign to be aired by PBS stations around the country.

In terms of prevention, Dr. Turner claimed that the national prevention effort is beginning to pay dividends. According to the National Survey on Drug Abuse, drug and alcohol abuse levels remain high, but the trend is down instead of up. According to Dr. Turner, this decreasing trend is expected to continue.

With respect to treatment services, Dr. Turner pointed to Federal efforts to achieve more effective use of available resources within the existing national treatment network, including the development of programs more in tune with local priorities. He also asserted that the Alcohol, Drug Abuse and Mental Health Services (ADMS) block grant program and the technical assistance provided by the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) are facilitating integration of services into the general health care system.

Finally, Dr. Turner briefly alluded to continuing efforts to assume a lead role to internationally reduce the supply and demand for drugs as well as the positive results being achieved in reducing drug abuse in the Armed Forces of the United States.

The Select Committee took exception to Dr. Turner's contention that drug abuse was leveling-off, citing not only the tremendous availability of heroin and cocaine but also its reduced price. Mr. Leonard, Deputy Director of the White House Drug Policy Office, belatedly agreed that cocaine and heroin availability was up. In addition, the Committee expressed the concern that Dr. Turner did not have sufficient contact and access to the President to assure policy direction and coordination. Under questioning, the Committee was shocked to learn that Dr. Turner had met privately only twice with the President in the past two years, and in fact, had not met with him in over a year. The last meeting between the President and Turner had lasted only ten minutes.

In line with the overall failure of Dr. Turner to have sufficient access to the President to coordinate Federal drug policy efforts, he was questioned on his position on congressional efforts to enact "Drug Czar" legislation. Dr. Turner responded that he did not sup-

port such legislation primarily because it simply created yet another layer of bureaucracy. The Committee, however, challenged this conclusion. Chairman Rangel pointed out that the objective behind Congressional desire for a Drug Czar was not to establish another bureaucracy but to create high-level accountability in the Exceutive branch for all aspects of drug abuse policy.

The Committee questioned Dr. Turner on the creation of the Federal drug abuse Strategy Council. The creation of such a Council is mandated under section 302 of the Drug Abuse, Prevention, Treatment and Rehabilitation Act. One major objective of the Strategy Council was to provide private sector input into the formulation of Federal drug abuse strategy. In response Dr. Turner simply stated the "Strategy Council had not been formalized by President Reagan." To justify this inertia he claimed that there had only been one Strategy Council meeting during the prior Administration and Turner questioned its usefulness. Mr. Gilman challenged this statement claiming that the prior Strategy Council had met on a number of occasions, and that a Strategy Council report had been issued. Mr. Gilman urged Dr. Turner to review the statutory requirements and the potential benefits that can evolve from the Council. Gilman stated:

> We certainly can't have enough people who are interested nationally in developing a proper, long-term strategy. That seems to have been the failure over a number of years. We were reacting in knee jerk fashion to the emergencies as they occurred, just as we have reacted once again in south Florida in bringing together an emergency team. It has been an effective team, but it has not addressed the overall national and international problem.
>
> While I appreciate Mr. Leonard going out and consulting with the number of people around the countryside, it would seem to me that a formal national Strategy Council could be of a great deal of assistance to the Administration. I would hope that you would take another look at that mandate that is set forth in the statute and see if we could evolve a proper team to be of assistance to the White House. I think that that could have a great deal of benefit.

In terms of Federal funding, Dr. Turner was sharply criticized for the huge Federal reductions in funding which have taken place for treatment and prevention services. In some States available funds have been cut in half. In addition, the Committee expressed deep concern over the fact that block grant funding abolished mandatory drug abuse data reporting and as a result several States are utilizing different systems when, and if, they do report data to NIDA. The Committee pointed out that the lack of a national drug abuse data base impedes our ability to evaluate our current efforts in the fight against drug abuse. Dr. Turner agreed that the situation demanded corrective action, and promised to take such action in the near future.

Finally, under questioning, Dr. Turner did express support for legislation mandating the cut off of foreign assistance to nations that failed to take adequate steps to halt the illicit production and trafficking of drugs.

7. FEDERAL STRATEGY FOR DRUG ABUSE TREATMENT AND PREVENTION

November 2, 1983, Washington, D.C.

Witnesses:

Honorable Charles E. Bennett, Member of Congress, Third District, Florida

Dr. William Pollin, Director, National Institute on Drug Abuse, Department of Health and Human Services

Mr. Thomas W. Pauken, Director, ACTION

Mr. Kenneth Eaton, Administrator, Michigan Office of Substance Abuse Services; Chairman, Legislative Committee National Association of State Alcohol and Drug Abuse Directors

Mr. Paul E. Robinson, Executive Secretary, Coordinating Council on Drug Abuse, City of Boston; Immediate Past Chairperson, National Association for City Drug and Alcohol Coordination (NACDAC)

Dr. Nicholas L. Piccone, Executive Director, Coordinating Office for Drug and Alcohol Abuse Programs, Philadelphia; Chairperson, NACDAC

Dr. Alyce C. Gullattee, Director/Administrator, Institute of Substance Abuse and Addictions, Howard University Hospital, Washington, D.C.; Former Administrator, Alcohol and Drug Abuse Services Administration, Washington, D.C.

This hearing was part of the Committee's ongoing series of hearings to review implementation of the Administration's 1982 Federal Strategy for Prevention of Drug Abuse and Drug Trafficking.

The purpose of the hearing was to review the treatment, prevention and research aspects of the strategy to determine the Administration's priorities in these areas and whether these priorities are responsive to State and local needs. The Committee also wanted to assess how well the Alcohol, Drug Abuse and Mental Health Services (ADMS) block grant is working and the impact of budget cuts under the block grant on drug abuse services at State and local levels. Finally, the Committee was interested in reviewing statistical data on drug abuse trends nationally and in those State and local areas represented at the hearing.

The day of the hearing was the first day of National Drug Abuse Education Week. The Committee's first witness was Congressman Charles E. Bennett of Florida, House sponsor of the resolution establishing November 2-9, 1983, as National Drug Abuse Education Week. Mr. Rangel welcomed Mr. Bennett to the Select Committee's hearing and thanked him for his dedication in promoting awareness of the need for strong drug abuse prevention efforts. He also thanked Mr. Bennett for supporting the Select Committee by opening up the Committee's hearing.

Mr. Bennett thanked the Committee for its work. He told the Committee that despite the progress made with legislation such as the Posse Comitatus amendments of a few years ago that have increased miiitary support for drug law enforcement, he felt the need for "an overall drug czar, . . . somebody who is really in authority," and whose "territory is the same as all the United States." He also called for congressional action on bills he has sponsored to increase penalties against organized criminal activity, to revoke the licenses of pilots convicted of drug trafficking, to deny bail to dan-

gerous offenders and to require the President to certify that foreign countries where illicit drugs are produced are cooperating with us on narcotics control in order to get foreign aid. Mr. Bennett said the main thing that is needed, however, is more public awareness of the dangers of drugs. He told the Committee that the only way to solve the problems of drug abuse and drug trafficking is to convince the American people not to use drugs. He called for all States to have drug education programs in the schools and for more involvement in drug prevention on the part of churches, people everywhere and especially the media.

When asked to describe the impact of the Administration's stepped up drug enforcement efforts in Florida, he said there had been both positives and negatives—more seizures, more arrests and more penalties, but all without much effect on the drug problem down there. He called for a national assault on drug traffickers, not one that focused just on Florida.

Dr. William Pollin, Director of the National Institute on Drug Abuse (NIDA) in the Department of Health and Human Services, was the next witness. NIDA is the Federal agency with lead responsibility for activities to reduce the demand for illegal drugs and lessen the harmful health and social consequences of drug use. NIDA conducts drug abuse research, collects and analyzes drug epidemiology data, provides technical assistance and disseminates drug abuse information to professionals and the public. Prior to the ADMS block grant, NIDA administered the Federal Government's categorical assistance programs for drug abuse services which provided funding to support a nationwide network of community drug treatment, rehabilitation and prevention programs.

Dr. Pollin told the Committee that addiction disorders are the Nation's number one health problem, accounting for one quarter of all the deaths that occur in the United States each year.

He also said that efforts to reduce the supply of drugs were of the greatest importance in reducing drug abuse. For example, he said NIDA estimated that if cocaine were as easily available as cigarettes or alcohol, the number of cocaine users would be 50–100 million instead of 5 million as currently estimated.

In the area of demand reduction, Pollin compared the results of recent drug use surveys conducted by NIDA (the 1982 National Household Survey and the 1982 High School Senior Survey) with similar past NIDA surveys and with findings from other studies of drug use trends. Pollin said these studies show that, for the Nation as a whole, drug use rates for most drugs are declining from the peak rates reached in the late 1970's. He said he was convinced the downward trends "are not an aberration, that they are powerful, continuing, accelerating trends."

In describing these trends, he emphasized a number of caveats. First, although drug abuse trends nationally have begun to decrease, drug abuse continues to be a very severe problem. "It is still true," he said, that:

> Roughly two-thirds of all American young people (64 percent) try an illicit drug before they finish high school.
>
> At least one in every sixteen high school seniors is actively smoking marihuana on a daily or near daily basis, and fully 20

percent have done so for at least a month at some time in their lives.

About one in sixteen seniors is drinking alcohol daily, and 41 percent have had five or more drinks in a row at least once in the past two weeks.

One-third of the American household population over age 12 have used marihuana, cocaine, heroin, or other psychoactive drugs for nonmedical purposes at some time during their lives. In addition, approximately one in every five Americans in households surveyed have used these drugs during the past year.

He also said that drug use by our young people is probably greater than that by young people in any other industrialized country and that 70–90 percent of the increase in drug use that occurred in the 1960's and 1970's remains.

Second, he said significant exceptions to the general decline in drug use do exist with regard to individual areas, subgroups of users, and specific drugs. He noted that data from DAWN, the Drug Abuse Warning Network, show that emergency room visits related to heroin and cocaine increased in many cities for the period from July 1980–June 1983. In recent months, he claimed, the overall trend in heroin and cocaine mentions showed signs of leveling off, but increasing trends continued in certain areas of the country. He said NIDA saw no evidence of a recurrence of the kind of heroin epidemic that occurred in the 1960's and 1970's because there is a continuing increase in the age of addicts coming in for treatment and coming into emergency rooms with heroin problems. Thus, he attributed increased indicators of heroin use not to new addicts but to older addicts, "who in the face of some increased availability often return to the use of heroin at levels of use that they have been unaccustomed to." With respect to cocaine, he said, "We are certain that there has been an overall decrease in terms of the total number of people in the country using cocaine. All of the studies . . . show that. However, it is quite possible that at the same time as you get a decrease in the number of people using it . . . that you can get an increase in the level of use and the danger of the pattern of use."

The third caveat Pollin cited was that despite the improvement which NIDA believes has occurred since 1979, there are a number of factors which threaten a worsening of the situation. These factors include "clear evidence of a substantial increase of potential supplies of cocaine and a significant decrease in cost of cocaine," as well as the continued high and increasing availability of marihuana.

Pollin said the recent reductions in drug use NIDA has observed result primarily from demand reduction efforts. The downturn had occurred, he said, even though drug supplies were as available and, in some cases, even more available than before. He attributed the changes in drug use patterns to three primary factors: increased knowledge of the adverse health effects of marihuana and other drugs; better communication of this knowledge to the public; and demographics. The first two factors, he said, have led to increased awareness of the health risks associated with drug use and a lessening of the social acceptance of drug use. He said that these

changes are recorded in the results of NIDA surveys which show that since 1979 high school seniors increasingly perceive marihuana as a dangerous drug and disapprove of its use by their peers. Pollin said the August 1983 California Opinion Index reflected similar changes in attitudes. The third factor—demographics—involves the maturing of the baby boom generation, the group whose drug use increased at unprecedented levels in the 1960's and 1970's. This factor, he noted, also has important implications for other health and social problems such as crime and automobile accidents which are also coming down. In his testimony, Pollin pointed out, however, that while teenagers as a percentage of the population are expected to decrease, the number of Black and Hispanic teenagers are expected to increase dramatically, thus greatly raising the risk of drug abuse among those minority populations.

In sum, he asserted that a very important change of direction has occurred in drug use trends but that serious problems still remain and require continuing attention to avoid a worsening of the situation once again.

With respect to drug abuse treatment, Pollin told the Committee that NIDA had been monitoring the treatment system since 1977 through the National Drug and Alcoholism Treatment Utilization Survey (NDATUS) which measures the scope and use of drug abuse and alcoholism treatment and prevention resources throughout the country. He said that as of September 30, 1982, more than 3000 treatment units reported a total of $533 million in expenditures for drug abuse services. This amount was an increase of almost $50 million over the $486 million expended by the total treatment system in 1980. He said this increase occurred despite decreases in Federal funds available for drug abuse services under the ADMS block grant and was the result of increases derived from State and local governments, private insurance and other private sources. Pollin admitted that Federal funds available to States under former categorical assistance programs had been carried forward at the time of the shift to the block grant so that NIDA would have to await further NDATUS reports to determine the total financial health of the system.

In terms of treatment capacity nationally, he noted a slight decrease of perhaps 8,000 treatment slots from 200,000 plus to about 195,000. About 12 percent of this treatment capacity was unused, on a national basis. He said NIDA was aware that lack of treatment capacity could be a major problem in individual localities and States. Until NIDA had time to further analyze State reports, however, he said NIDA would not know whether the lack of treatment capacity in certain areas was the result of decreased block grant funds or inability to increase funds from other sources.

In his prepared testimony, Pollin noted that under the ADMS block grant, States are no longer required to report client data to NIDA formerly collected in CODAP (Client Oriented Data Acquisition Process). Although many States have maintained client-based data systems, Pollin said there were considerable variations from State to State in the extent of information gathered and how it is analyzed. Because client data is essential for assessing drug use and changes in drug patterns, and is vital to national projections and comparisons between jurisdictions, Pollin said NIDA was ac-

tively working to develop a way of effectively collecting the data needed from States on a voluntary basis.

Other major points of Pollin's testimony included the following:

Costs of drug abuse.—Pollin told the Committee that, by some estimates, the total annual cost of drug abuse to society is close to $100 billion. Of this figure, approximately $15 billion is conservatively attributable to the impact of drug abusers on the health care system, the law enforcement and judicial system, the employment market, and general welfare and social service systems. Another $70 to $80 billion in annual costs may result from the association between drugs and crime.

Research budget.—Research now constitutes the primary focus of NIDA's activity and 77 percent of NIDA's total budget. Most of NIDA's funds for data collection (86 percent) are derived from NIDA's research budget. For this reason, Pollin expressed concerns about House cuts in NIDA's research budget for FY 1984, only partially restored in the Senate-House conference on the 1984 Labor, HHS, Education appropriation bill (Public Law 98–139). The lower level provided by Congress will reduce by 16 percent the number of new and competing research grants NIDA can award as compared to the number provided in the President's budget.

Research activities.—NIDA's long-term research goals are to gain new knowledge of the basic mechanisms underlying substance abuse and to develop new behavioral and pharmacological methodologies for the prevention, diagnosis and treatment of drug abuse. Within this context, Pollin outlined some of NIDA's significant research findings and priorities:

Basic drug research.—Studies on drug action in the brain and central nervous system reveal an important biological component in drug abuse. For example, the discovery of opiate receptors in the central nervous system and natural opiate-like substances occurring in the body are major findings that provide a testable hypothesis for a biological basis of addiction. Work in this area will continue to be a major focus of NIDA's research.

Marihuana.—Research studies have found that the acute and chronic effects of marihuana include impaired perception and motor skills, impaired lung functioning, decreased sperm counts and sperm motility, and possible interference with ovulation, prenatal development, and the body's immune system. It is also known that the by-products of marihuana remain in the fatty tissue of the body for weeks and may continue to produce residual effects. Future marihuana studies will look at the long-term effects of marihuana use on the development of adolescents and the offspring of users. A second focus is on finding more effective ways of treating chronic marihuana users.

Cocaine.—The widespread abuse of this drug has led NIDA to include an emphasis on cocaine in its research program. Studies will focus on how cocaine works in the body, its site of action, and the characteristics of users prone to cocaine dependency.

Treatment agents.—NIDA has emphasized the development of new therapeutic drugs for detoxifying and treating addicts.

These agents include naltrexone, LAAM (levo-alpha-acetylmethadol), and clonidine.

Tobacco.—Pollin said converging lines of research indicate that cigarette smoking is strongly related to the onset of marihuana smoking and subsequent use of other drugs. This suggests, he said, that prevention efforts aimed at stopping young people from beginning to use cigarettes can be beneficial not only in reducing smoking but other drug use as well.

Treatment efficacy.—Pollin's testimony said numerous studies of treatment outcomes show that drug abuse treatment does work, when measured by the criteria of decreased drug use, decreased criminal activity, and increased productive behavior such as employment. Future studies will focus on issues such as which patients benefit most from particular types of treatment and the effectiveness of aftercare services such as self-help groups.

Prevention research.—Many of NIDA's research activities have been and will continue to be targeted to families and youth and the development of prevention/intervention models. These activities focus on the role of families and peers in drug using behavior and drug abuse prevention, and on evaluating particular prevention techniques. Major initiatives include the award of a 5-year grant to test a school-based prevention program to resist peer pressure by saying "no" to drugs and the issuance of two new grant announcements focusing on family and school-based approaches to drug abuse prevention.

Treatment and prevention.—NIDA's long-term policy in these areas is to develop knowledge, to provide technical assistance and information and to rely upon States, local communities and voluntary organizations to provide direct services and the majority of funding for those services. Some of NIDA's efforts in these areas include:

Pyramid, a technical assistance contract for assisting public and private prevention efforts.

Support for replication of Channel One, a process for mobilizing community resources in prevention programs aimed at providing alternative activities for youth in projects benefitting their communities.

A greater emphasis on developing education and prevention strategies for minorities communities.

Support for the parents movement through workshops, conferences, technical assistance and publications.

The award of a contract for six radio and television public service announcements on the effects of marihuana and the award of another contract to the Advertising Council for a national drug prevention campaign, launched in November 1983, aimed at teenagers 12–14 years old and parents.

The dissemination of public and technical information through the National Clearinghouse for Drug Abuse Information.

Support for private sector initiatives such as the Peoples Drug Store public education campaign, "Your Kids and Drugs—Spot It, Stop It."

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Collaborating with the Scott Newman Foundation on the annual Scott Newman Award, first given in 1981, to television programmers who broadcast TV shows that convey strong drug abuse prevention messages.

Research training.—In response to a question about the adequacy of NIDA's budget for research training, Pollin told the Committee that NIDA would like to be able to involve more individuals in the agency's research training program. He said that NIDA was currently trying, ". . . to see if within the overall levels of research training funds which have been appropriated, mechanisms can be found to increase the number of trainees."

Executive coordination.—Pollin said two Cabinet Councils—the Cabinet Council on Legal Policy and the Cabinet Council on Human Resources—are responsible for overseeing implementation of the Administration's 1982 Federal drug strategy. The Secretary of Health and Human Services is Chairman Pro Tempore of the Cabinet Council on Human Resources. There are working groups under the Cabinet Councils to track progress towards the strategy's goals. The NIDA director participates in these mechanisms for drug policy oversight and coordination, Pollin said.

Members of the Committee disagreed, sometimes sharply, with Pollin's assessment of drug abuse trends in the country. Mr. Hall told Dr. Pollin that a great portion of the testimony heard by the Committee in the past year indicated that abuse of heroin, cocaine and other drugs was up. Mr. Hughes said the survey data upon which NIDA based its judgment that drug use is declining ". . . does not jive with any of the testimony that I have seen," or with his perception of increased illicit drug supplies and drug use. "You talk to any police officer in any major city, any social worker in any major city," he said, "and the fact of the matter is that we are loaded with [drugs], and the use is up." Pollin defended the reliability of NIDA's surveys and again said the apparent contradictions in drug use trends were due to increased drug use by subgroups of drug users, not to increased drug use generally. In a strongly worded statement, however, Mr. Hughes told Pollin, "I do not believe any of those statistics. I do not believe them for one minute . . . . I think those statistics are basically worthless at this point." The Committee has asked NIDA for further information concerning its drug trends surveys and has also asked for evidence that supports the theory that subgroups of users are substantially increasing their levels of use.

Members also questioned Pollin about the effect of declining levels of Federal support for drug abuse treatment and prevention. Funds for alcohol, drug abuse and mental health programs have been reduced by approximately 30 percent under the new ADMS block grant. Pollin said funds for drug abuse under the block grant had shown some reduction but he did not believe it was 30 percent. He claimed that if States decided to use the flexibility of the block grant to allot the maximum amount allowed to drug abuse, there could actually be a 5–10 percent increase in the dollars available to States for drug abuse services. He also pointed to the NDATUS survey as evidence that non-Federal sources of funds were picking up the slack left by cuts in Federal support, although, as noted above, he said it was too early to determine the total financial

health of the treatment system. Mr. Hughes, again, took exception to Pollin's position on the effect of Federal budget cuts. Hughes noted the initial reductions under the block grant for alcohol, drug abuse and mental health programs and then pointed out that because funding under the block grant had remained steady in subsequent years, additional ground had been lost due to inflation. In his own State, New Jersey, he said there were not enough treatment spaces available for courts to refer addicts to treatment through the TASC (Treatment Alternatives to Street Crime) Program. He pointed out that the cost of treatment through TASC was about $2,600 a year as opposed to $15,000–$16,000 for incarceration. He also told Pollin that although States, the private sector and other sources may have increased their support for treatment services, these increases were not enough to fill the gap left by Federal budget cuts, especially in States with severe drug abuse problems such as New Jersey and New York.

The Committee's next witness, ACTION Director Thomas Pauken, outlined his agency's efforts in the field of drug abuse prevention. ACTION is the Federal agency designed to encourage volunteerism. ACTION's role in the drug abuse arena is to discourage the use of drugs, especially by young people, through the mobilization and support of volunteer programs, both within ACTION and in the private sector.

In his opening remarks, Pauken decried the widespread availability and use of drugs. He cited the "do-drugs" messages popularized by the media in the 1970's and also the lack of awareness of the harmful effects of drugs as important factors leading to the acceptance of drug use and the exploding rates of use among school-age children. In the last few years, however, he noted a change in attitudes taking place, signaled by a rejection of the drug culture and the promotion of strong "no drug use" messages. He credited this change in attitudes largely to the volunteer efforts of the growing parents movement and said that one of ACTION's major goals is to support the parents' efforts.

Pauken said that prior to his arrival at ACTION, the agency had done "absolutely nothing in this entire area" of drug abuse prevention. He said one of the first things he had done was to direct the Agency to get involved in supporting the parents movement.

Pauken estimated that ACTION had spent about $7 million on drug abuse prevention in each of fiscal years 1982 and 1983. He said the Agency proposed to spend about the same amount in 1984 through a small discretionary grant program (approximately $575,000) and through ACTION's other volunteer programs such as VISTA, Older Americans and Young Volunteers in Action.

Pauken listed four tenets as fundamental to ACTION's drug prevention program: that the absolute best way to fight drugs is with accurate, up-to-date information; that drug prevention begins at home and parents must be educated about drug abuse and organized to fight it; that the notion that marihuana or any other drug is "soft," is a lie, for there is no such thing as responsible drug use among children; and that an effective fight against drugs must involve all sectors of the community—individuals, businesses, schools, church and civic organizations, and the kids themselves.

Within this framework, he briefly discussed some of the initiatives ACTION has undertaken to support volunteer drug abuse prevention activities:

In March 1982, ACTION sponsored the First White House Briefing on Drug Use and the Family, hosted by Mrs. Reagan. It was attended by corporate and religious leaders, government officials, representatives of civic and volunteer organizations, parent leaders, media and entertainment figures.

ACTION, in conjunction with McNeil Pharmaceutical, designed and implemented the P.A.D.A. (Pharmacists Against Drug Abuse) Program, using 65,000 local pharmacists to distribute easy-to-understand literature about drugs kids use.

ACTION helped a major national fraternal organization, the Elks, design and launch a national drug abuse campaign.

Over the past two years, ACTION has awarded a number of drug prevention grants aimed at mobilizing parents and supporting the work of non-profit organizations active locally in drug abuse prevention efforts. Organizations supported include: PRIDE, the Parent's Resource Institute for Drug Education, and Families in Action, both in Atlanta, which are principal sources of information about drugs and the role of parents in preventing drug abuse; the American Council on Marihuana (now known as the American Council for Drug Education) which received grants to produce and distribute ten pamphlets on the health consequences of marihuana and other drugs; Covenant House, a runaway youth home in New York City; DARE, the Drug Abuse Rehabilitation and Education program of the Catholic Archdiocese in New York; and parents organizations in seven States (California, Colorado, Florida, Kentucky, Missouri, North Carolina, Ohio). ACTION's goal is to provide "seed money" through small demonstration grants to organize parent networks in each of the 50 States. ACTION hopes that these groups ultimately will be able to sustain themselves through State and local funds and private contributions.

ACTION has recruited public figures from the entertainment world to make drug prevention presentations to parent and youth groups around the country.

ACTION supports drug prevention activities through its other volunteer programs, too, such as VISTA, Retired Senior Volunteers, Young Volunteers in Action (YVA), Foster Grandparents, and Senior Companions. For example, ACTION has 30 VISTA volunteers in Alabama who are organizing low income parent groups in the State. YVA programs in low income areas are aimed at providing opportunities and alternatives to drugs through projects that benefit the local community.

Pauken told the Committee that two ACTION representatives participated in the preparation of the prevention and education sections of the Federal drug strategy and that he works on a regular basis with Carlton Turner, the White House drug abuse coordinator.

The members of the Committee uniformly lauded Mr. Pauken and ACTION for the fine work it is doing to educate parents and communities about the dangers of drug abuse and to organize and

support strong voluntary drug prevention efforts at the local level. Recognizing the important role that parents and other volunteers can play in drug abuse prevention, several members also emphasized that drug abuse is a national problem and that volunteerism cannot take the place of Federal leadership in all aspects of drug abuse control including law enforcement, treatment, prevention and education. Nor can volunteerism be a substitute for committing Federal resources to help those communities that want to take effective action against drug abuse. Mr. Gilman, in particular, expressed concern that ACTION did not have enough resources to do the kind of job that was needed on a nationwide basis.

Kenneth Eaton testified next, representing both the State of Michigan, where he serves as Administrator of the Office of Substance Abuse Services, and the National Association of State Alcohol and Drug Abuse Directors (NASADAD). Mr. Eaton is the Chairman of NASADAD's legislative committee.

He began by commenting on the changes in drug use trends discussed by Dr. Pollin earlier in the hearing. His main point was that whether drug use trends are improving slightly or whether they are not, these changes make little difference to his conclusions—substance abuse still clearly is a major problem in our country. As indicators of the enormous magnitude of the problem, he noted that:

> Recent estimates project the annual economic cost to the Nation of substance abuse at $220 billion ($120 billion for alcohol abuse and $100 billion for drug abuse).
>
> Active heroin addicts commit 300–350 crimes a year.
>
> One-third of State prisoners in 1979 were under the influence of an illegal drug when they committed the crime for which they were incacerated.
>
> American youth still have the highest level of drug abuse of any industrialized nation.

He said that even if these estimates of drug use are high by 15–20 percent, "We have a bigger problem than we can tolerate."

Eaton said he was pleased by some of the signs of decreasing drug use trends. He agreed that some changes were occurring in Michigan. Unfortunately, he said, these slight declines are not reflected in the demand for treatment and other indicators of drug abuse in Michigan. For example:

> In Detroit, the demand for treatment for cocaine abuse has doubled in the past year;
>
> Opiate admissions, primarily for heroin abuse, are down slightly in the State but remain at 30 percent of all treatment admissions in Detroit.
>
> Narcotic deaths in Detroit rose 150 percent from 1978–1982.
>
> Abuse of dilaudid and cocaine is up.

Eaton turned next to an assessment of funding for substance abuse services under the ADMS block grant. He told the Committee that in 1983 there were $237 million for substance abuse services under the block grant compared to $332 million in 1980 under the former categorial programs for drug and alcohol treatment, for a loss of $95 million in Federal support. Federal cutbacks have forced Michigan to reduce its programs by about $3.7 million. New York and other large States were forced to make even bigger cuts,

he said. In the first year of the Federal reductions, Michigan reduced treatment programs in the State across the board and closed 59 programs. Michigan provided treatment services for substance abuse problems to 10,000 fewer people than in the year prior to the cuts.

Eaton told the Committee that in the final analysis, States need more help in terms of resources for treatment and prevention. He said that for both economic and political reasons. State legislatures are not able to fill the gap left by Federal budget cuts. He acknowledged that there was growth in the private sector, but, he said, "Quite frankly, most of that growth in the treatment system is in private acute care hospitals intended mainly for middle class alcoholic people. I am very pleased to see that. But those treatment programs paid for by the private sector are not going to touch the inner city hardcore addicts of this Nation."

In his prepared statement, Eaton provided additional information on the ADMS block grant. Overall, he said, the States had made a smooth transition from categorical to block grant funding, in large part due to the fact that State alcoholism and drug abuse agencies were already administering Federal funds for three-fourths of the programs eventually consolidated in the alcohol and drug portions of the block grant. For the same reason, he said, the administrative cost savings States were supposed to realize under the ADMS block grant due to streamlined and efficient management were not applicable. It had been envisioned that administrative cost savings under the block grant would offset Federal funding cuts; unfortunately, Eaton said, State alcohol and drug agencies were penalized for being one step ahead.

Of the $462 million appropriated for the ADMS block grant for fiscal year 1984, Eaton said about $234.5 million, or a little more than half, would be made available for alcohol and drug services. This amount, he said, is $4 million less than these programs received in fiscal year 1983 and represents a 40 percent reduction from 1980 program levels, when adjusted for inflation.

Eaton told the Committee that despite cuts in Federal funds under the block grant, many States had been able to maintain a minimum level of drug and alcohol services through careful budget planning. States were also able to cushion the effects of budget cuts due to a one-time overlap of Federal funds from previous categorical grants awarded late in the fiscal year prior to the block grant. Beginning in fiscal year 1984, however, this cushion would run out and States would be forced to close programs at a time when the demand for treatment was increasing in many areas. He said that without an increase in Federal support, NASADAD expected to see alcohol and drug services systems in some parts of the country gradually deteriorate.

Eaton's testimony presented the results of a survey conducted by NASADAD in March 1983 on the status of State alcohol and drug programs. Major findings of the survey are:

> Many States have increased expenditures for prevention programs, a change apparently related to the ADMS block grant requirement that 20 percent of the funds for alcohol and drug services be allocated for prevention, although some States have decided to increase prevention services using State monies.

In 1983, eleven States experienced a decline in treatment capacity, although the perceived need in those States increased due to economic conditions.

For 1984, most States hope to maintain their current level of services for at least part of the fiscal year.

Only seven States expect to receive funding increases in 1984; ten expect significant funding cuts.

Of great importance, over 94 percent of the States responding to the survey reported an unmet need for treatment and prevention services in their States. Even if States can maintain current services, there are still thousands of individuals who need and could benefit from some type of prevention or treatment services, Eaton concluded.

NASADAD recommends reauthorization of the ADMS block grant prior to its expiration on September 30, 1984. NASADAD also recommends that the block grant be funded at an amount that will restore the Federal Government's contribution to alcohol and drug services to previous levels.

Eaton also commented on the relationship in the Administration's drug strategy between supply reduction efforts on the one hand and demand reduction efforts on the other. Traditionally, he said, Federal drug abuse prevention strategy reflected a balance between these two elements, and he supported the need for this balanced approach. The 1982 Federal strategy, however, reflects an emphasis on supply reduction efforts (law enforcement, interdiction, source eradication) and a deemphasis on demand reduction (treatment, prevention), Eaton said. From 1980 to 1983, he noted that Federal funding for supply reduction programs grew from $537 million to $695 million, a 30 percent increase, while treatment and prevention funding fell by approximately 40 percent. He called for devoting substantially more resources to demand reduction through treatment and prevention.

Eaton also recommended that more attention be given to the serious problem of presecription drug abuse resulting from the diversion of licit drugs manufactured in the United States to the illicit market. Eaton said that more deaths and injuries result from the illicit use of prescription controlled substances than from use of all illegal drugs combined. He said the huge profits that could be realized dealing in prescription drugs afford big incentives for organized crime involvement.

Other issues addressed by Mr. Eaton include the following:

Medicaid/medicare.—Eaton said restrictions on reimbursements for alcohol and drug services result in over use of high cost hospital services and an inability to provide appropriate long-term care that can change the lifestyles of alcohol and drug abusers and reduce their need for more expensive health care for illnesses related to substance abuse. He offered to work with the Committee on some specific improvements such as permitting Federal reimbursement under medicare for alcohol and drug treatment services in non-hospital settings and establishing appropriate prospective payment rates under medicare for hospital alcohol and drug treatment services.

NIDA/NIAAA.—NASADAD encouraged support for NIDA and NIAAA, the Federal drug and alcohol institutes, whose re-

search programs have helped States better understand alcoholism and drug abuse, their consequences, populations at risk and changes, patterns and trends in drug and alcohol problems.

Data collection.—Eaton's testimony said the elimination of State data reporting requirements under the block grant was leading to a void at the Federal level of information needed to measure drug abuse trends, incidence, prevalence and the number of clients receiving treatment. For example, most States continue to view NIDA's CODAP system as a useful and necessary tool for allocating scarce drug abuse treatment and prevention resources, but only 50 percent of the States now have the funds to continue collecting and reporting CODAP data to NIDA. Eaton said a unified, national data system requires Federal coordination and financial support and encouraged Federal assistance for the kind of comprehensive national data system essential to Federal and State policy development.

Substance abusing juvenile offenders.—Eaton called attention to a joint project being initiated by the Alcohol, Drug Abuse and Mental Health Administration (ADAMHA) and the Office of Juvenile Justice and Delinquency Prevention (OJJDP) in Justice to address the needs of substance abusing, mentally ill juvenile offenders.

Volunteerism.—Eaton said that volunteerism can help and commended the efforts of ACTION in stimulating voluntary drug prevention activities. He also lauded the National Federation of Parents as "a major force in our nation."Alluding to ACTION's budget of approximately $500,000 for discretionary drug prevention grants, though, Eaton asked, "What kind of sense does it make . . . to pull $95 million out of the treatment and service system and put only $.5 million into fostering volunteerism?"

Drug abuse in the cities.—Eaton told the Committee that our large urban areas are in special need of help in dealing with their substance abuse problems. He indicated that national surveys of drug abuse problems did not accurately reflect the problems faced by our major cities.

Criminal justice.—Eaton told the Committee that NASADAD strongly endorses:

> —the concept of a justice assistance block grant to States, such as proposed in H.R. 2175, the Justice Assistance Act of 1983, to support criminal justice programs of proven effectiveness such as TASC (Treatment Alternatives to Street Crime);
>
> —the authorization of a grant program in DEA, as proposed in H.R. 2151, to assist States in developing effective programs to prevent prescription drug diversion. NASADAD also recommends that DEA develop a program of technical assistance to States including assignment of personnel to work with State licensing, regulatory and enforcement agencies.
>
> —the enactment of legislation permitting a portion of illicit drug proceeds obtained by the Government through

civil forfeiture to be used for drug abuse treatment services as well as drug law enforcement.

Food stamps.—NASADAD supports an amendment to the Food Stamp Act of 1977 to permit residents of "publicly operated," as well as private, non-profit residential alcohol and drug treatment programs to participate in the Food Stamp Program.

National leadership.—Eaton said the need for national leadership in the area of substance abuse was greater than ever before. He said that there was a need for someone at the Federal level to pull together the various "pockets of programs" in the Federal Government and provide some coordinated direction to Federal drug abuse control efforts.

In closing, Eaton emphasized that substance abuse is a national problem. He called for a fuller partnership between the Federal Government and the States, as well as local governments, and said the States stand ready to work with the Federal Government in any way possible. He reiterated the need for a greater commitment of Federal resources for demand reduction, pointing out that each time we fail to meet the demand for treatment, the situation only becomes worse.

The members thanked Mr. Eaton for his outstanding statement and his significant contribution to the Committee's hearing. The Chairman asked him to convey back to the members of NASADAD the Committee's strong desire to work closely with NASADAD on issues relating to treatment, prevention and funding for drug abuse services.

In the questions and answers that followed Eaton's formal presentation, the following significant points were made:

Eaton clarified his statement about the imbalance between demand reduction and supply reduction in the current Federal strategy, saying that he was not advocating a reallocation of funds from law enforcement to treatment and prevention but rather an additional commitment of resources to demand reduction efforts.

Eaton said he sensed a change in attitude towards drugs by the American public and an increased commitment to drug prevention by churches, schools and other institutions in our society.

Mr. Hughes emphasized the need for more Federal leadership in drug prevention and control efforts, saying, "We cannot do more with less. It is as simple as that."

Mr. Coughlin stressed the vital role States can play in mandating drug education in the schools.

Eaton said that waiting lists for treatment were prevalent around the country, especially in the inner cities. In Detroit, he said the number on the waiting list was 10–15 percent of the total treatment capacity. It was noted that a waiting list of 1000–1500 exists in New York City.

Eaton said that we know much more about treatment today than even 5 or 7 years ago and that treatment offers a good chance for rehabilitation for many people. He emphasized that we should be taking better advantage of what we have learned about demand reduction by committing more resources to treatment and prevention. He noted that often times the alter-

natives to treatment are crime, welfare or prison and said, "We are not getting by scot-free just by not providing that treatment. We are simply spending money in other ways and usually more and larger amounts of money."

Eaton said he agreed with Dr. Pollin that we probably have a smaller percentage of people who are using drugs than in 1980. But, he said, there are probably more people with more severe drug problems. He said he had no statistical data to support that view, only impressions based on information from treatment programs that demand for services is increasing and the fact that new programs fill up immediately.

Eaton said NASADAD had reviewed the Administration's drug strategy and made comments on it to the White House. He said, however, that NASADAD had not meet with Dr. Carlton Turner, the Special Assistant to the President for Drug Abuse Policy, nor had they been invited to meet with him.

Eaton told the Committee that NASADAD representatives meet often with NIDA Director Pollin and the ADAMHA Administrator but that they have not met with anyone above that level in the Executive branch.

Eaton said NASADAD believes better coordination of drug abuse efforts at the Federal level is needed but they have not yet fully considered whether the "drug czar" approach is the best way to go.

The States like the ADMS block grant mechanism and the flexibility it provides, Eaton said, but the States are bearing a disproportionate share of the financial burden because of funding cuts under the block grant.

NASADAD's three most critical priorities are: (1) increased funding for the ADMS block grant; (2) strong Federal leadership to help States move rapidly in the areas of drug and alcohol prevention and education, especially in the schools; and (3) Federal assistance on prescription drug diversion and some of the other specialized areas mentioned in his written testimony.

The final witnesses to appear before the Committee consisted of a panel of city drug abuse treatment administrators representing the cities of Boston, Philadelphia and Washington, D.C.

In a strongly worded statement, Paul Robinson, Executive Secretary of the Coordinating Council on Drug Abuse in Boston and immediate past Chairperson of the National Association for City Drug and Alcohol Coordination (NACDAC), told the Committee that the Administration's 1982 Federal drug strategy failed totally to address "the veritable epidemic of narcotic addiction in our large urban areas." He said the strategy was fundamentally flawed in several ways. He criticized the Administration for preparing the strategy in a "hot house environment" without reaching out to consult with the addiction service coordinators of the Nation's large cities, "the principal sites of serious addiction." He called the Administration's failure to seek out an urban perspective on the drug problem, "a peculiar situation for the preparation for a Federal strategy, for what we are told is a major campaign against drug abuse." As a result of the strategy's "narrow base of input," he said, the strategy reflects, "a limited, narrow perception of the issue itself." He said the strategy expressed no concern "for the

burden which large cities uniquely face in addressing these matters."

Robinson also criticized the ADMS block grant, both as a funding mechanism and because of the cuts that have been made in Federal support for drug abuse services. He said the block grant approach, which gives States flexibility to decide how to allocate funds for treatment and prevention, failed to provide a meaningful role for city administrators in developing a statewide strategy in collaboration with their State-level counterparts. He claimed the requirement for States to solicit and include the input of their large cities with respect to treatment and prevention needs was ignored under the ADMS block grant process. He told the Committee that in Massachusetts this year, the City of Boston received a two-hour notice to testify on the State's block grant application which the City had never seen. Robinson said the reduced State accountability to the Federal Government was an additional cause for concern by large cities "seeking the means to ensure State agency sensitivity to their urban populations."

With respect to budget cuts under the block grant, Robinson said the State of Massachusetts had lost $1.5 million in Federal support from 1981 to the present. This reduction had forced a statewide drop in residential treatment facilities from 21 to 11 with a corresponding drop in capacity from 500 to 232 beds. In the City of Boston, narcotic treatment programs are at capacity, turning away 30–40 clients a month. He described how in one 24-hour period in September 1983, 9 heroin overdose victims were brought unconcious into Boston City Hospital; all recovered, but no treatment services could be offered because all programs were full. In summary, Robinson said the block grant was, "a cover for a Federal exit from the drug abuse effort."

Robinson accused the Administration of abdicating its Federal leadership role in meeting the challenge of urban narcotics addiction. Taking the Administration's strategy and the ADMS block grant together, Robinson said:

> In short, the real contribution of this Administration to managing addiction problems for our cities rests on the effectiveness of a strategy which ignores them and a funding mechanism which will, probably within the next fiscal year, contribute to the destruction of a fragile substance abuse services system which has taken a decade to develop, and has now been slashed to ribbons by Federal funding cuts.

Robinson made a number of recommendations to the Committee for strengthening national drug abuse treatment and prevention efforts.

First, he called for a genuine commitment to prepare and implement a substantive, rationally-evaluated national strategy, involving every level of government.

Second, he called for the appointment of a high-level executive official who can balance the roles of supply and demand reduction, understand the special needs of cities and their high-risk populations, and serve as "an advocate, as a coordinator, as a focal point for an administration's commitment to drug abuse prevention."

Third, to address the special financial burdens facing cities with large addiction problems, he recommended that a portion of individual State ADMS block grant allocations be available for direct grants from the Federal Government to cities within the State. Cities receiving these direct grants would use them to develop comprehensive treatment and prevention services.

Fourth, he recommended that the block grant be revised to guarantee local governments greater participation in planning and developing State block grant applications.

Fifth, he recommended stronger Federal oversight of the ADMS block grant program to assure greater protection for "the interests of the readily disenfranchised."

Some other points made in Mr. Robinson's testimony were:

Federal funding cuts have caused or exacerbated major gaps in demand reduction efforts. In Boston and Massachusetts, additional treatment services are needed most critically for adult women, adolescents, and inpatient polydrug treatment.

Federal funding cuts are not being compensated by the public sector, due to resource limitations on State and local governments. The need for drug treatment services has surpassed their budgets. Nor are private philanthropy and volunteer efforts adequate replacements for the loss of Federal dollars to treatment.

Funding cuts are reducing program efforts, eliminating services to some of the most vulnerable clients and removing effective aftercare, vocational and supportive services. These reductions almost assure recidivism.

The Federal Government should do more to inform cities of the range of available technical assistance and help cities gain access to it. Greater Federal/city collaboration in epidemiological forecasting is also needed.

The Committee heard next from Dr. Nicholas Piccone, Executive Director of the Coordinating Office for Drug and Alcohol Abuse Programs (CODAAP) in Philadelphia, and also Chairperson of NACDAC. His testimony reflected many of the same concerns discussed by Mr. Robinson, especially with regard to the ADMS block grant.

Dr. Piccone told the Committee that Federal funding to Philadelphia for substance abuse services would fall from $7 million in 1981, the year before the ADMS block grant, to a projected $4.5 million in 1985, a cut of almost 40 percent. He said the impact of this loss on Philadelphia's treatment and prevention system has been devastating, resulting in severe curtailment of prevention programs, the elimination of ancillary services such as vocational and educational training, the closing of programs and the large-scale overutilization of remaining programs. For example, he said that Philadelphia's eleven methadone maintenance programs were currently operating at 130 percent of capacity.

Piccone said Philadelphia was suffering these reductions in services at the same time that economic factors were creating an even greater demand for services among severely stressed urban populations. In discussing drug abuse trends and user characteristics in Philadelphia, he made the following points:

75 percent of the clients in Philadelphia treatment programs are currently unemployed.

Heroin-related deaths and all drug-related deaths in Philadelphia have increased.

Cocaine use is up 30 percent since 1981.

Of the 42 CODAAP contract facilities providing drug treatment services, 62 percent are above 100 percent utilization and 81 percent are above 90 percent utilization.

In short, Piccone said the treatment system in Philadelphia was stretched to the limit and he was concerned about being able to continue providing quality care.

In addition to budget cuts under the ADMS block grant, Piccone also voiced concerns similar to Robinson's that States were not sensitive to the needs of large urban areas in allocating block grant funds from the Federal Government. Despite the documented, overwhelming need for drug and alcohol services in Philadelphia, the largest city in Pennsylvania, the State is not considering need as an important funding variable, Piccone told the Committee. For example, the block grant requires that at least 20 percent of the funds allocated by each State for drug and alcohol services be set aside for prevention services. In Pennsylvania, rather than allowing Philadelphia to reprogram treatment funds into prevention, the State chose to distribute the prevention allocation (which came largely from Philadelphia treatment funds) throughout the State using formulas not based on need. The result, Piccone said, is a statewide surplus of $1.5 million for prevention for fiscal year 1985 at the same time that there will be a $2.8 million shortfall statewide in treatment funds.

Piccone also told the Committee that despite repeated requests Philadelphia had been given no opportunity to participate with the State agency in developing the strategy for ADMS block grant reductions in Pennsylvania. Although Philadelphia is the largest city in the State, the Block Grant Advisory Task Force established by the State earlier in 1983 did not include representation from Philadelphia.

Piccone made the following recommendations to the Committee:

First, that the Federal Government provide direct funding for drug abuse services to several of the largest cities in the United States;

Second, that the Federal Government increase funding for drug abuse services to meet the level of need;

Third, that exceptions be permitted to the current inflexible 20 percent prevention set-aside in the ADMS block grant and further that funds for prevention be increased so that treatment programs will not be cut back to fund prevention services; and

Fourth, that in the event direct Federal grants to large cities are not approved, the Federal Government require States to allocate ADMS block grant funds solely on the basis of need to assure that the greater need of urban areas will not be ignored.

The third witness on the panel was Dr. Alyce C. Gullattee, Director of the Institute for Substance Abuse and Addictions at Howard University. Just prior to the Committee's hearing, Dr. Gullattee

had completed 22 months as the head of the District of Columbia's Alcohol and Drug Abuse Services Administration.

Dr. Gullattee's testimony reinforced a number of points made by other witnesses. She emphasized that drug abuse affects people regardless of race, socio-economic background, age, sex and personality type. She said the need to escape the exigencies of life through mind altering substances was "a national malady."

She said Federal strategies to combat drug abuse over the years have been "noble but clearly less than effective. We need only to look at the alarming increase of addiction problems across all . . . groups to appreciate our shortcomings."

Some specific points made by Dr. Gullattee were:

The ADMS block grant has given States essentially carte blanche over substance abuse funds. More safeguards are needed to assure local community participation in ADMS block grant allocations and to make sure that block grant monies are used for their intended purposes.

Young people need to be made much more aware of the negative effects of the gateway drugs—cigarettes and beer.

Substance abuse is an attempt to alter poor self-image. The problem is compounded if a person cannot read, write or work.

There is a need for the Federal Government, particularly NIDA and the Department of Health and Human Services, to provide more technical assistance to States on substance abuse problems.

There needs to be better coordination of funds available for alcohol and drug services through alcohol and drug programs, social service programs, law enforcement programs and other public programs.

The National Clearinghouse for Drug Abuse Information at NIDA is one of the most needed public information organs about drug abuse and should be given more resources to distribute factual information to people in need of it.

Volunteerism is not an appropriate mechanism to meet the manpower needs of drug treatment programs.

More emphasis should be placed on self-help groups such as Narcotics Anonymous and Alcoholics Anonymous.

The parent movement has not been active in inner cities areas.

To combat the serious problem of prescription drug abuse and to facilitate Federal, State and local cooperation on the diversion of legitimate drugs to the illicit market, funding should be made available for diversion investigating units originally set up by DEA.

Because of the ever increasing number of addicts and because more and more addicts are shopping around from program to program to meet their needs, we need a national computerized data system to identify addicts.

The Federal strategy's emphasis on developing new antagonist and agonist drug treatment agents such as LAAM, buprenorphine, naltrexone and clonidine, presents two concerns: (1) we do not know the long-term health consequences of these drugs; and (2) to the extent that these drugs are touted as a mechanism for cost control because they do not require an

addict to come in for treatment on a daily basis, they will diminish the contact between client and therapist and eliminate the need for some structure in an addict's life, to the detriment of the rehabilitation process.

More money is needed for drug abuse education, prevention and early intervention. NIDA and the Department of Education need to coordinate efforts in these areas better.

Vocational rehabilitation is an essential component of any drug treatment program. More resources are needed for this aspect of drug abuse care.

More drug abuse services are needed for teenagers and women.

In her written statement, Dr. Gullattee also provided information on drug abuse trends in the District of Columbia. Some of these trends are:

Heroin.—Heroin use increased from 1978–1981, leveled off in 1982 and decreased in the first quarter of 1983 as measured by heroin overdose deaths (7 in 1978, 35 in 1979, 56 in 1980, 103 in 1981, 95 in 1982, and 10 through the first quarter of 1983). Heroin emergency room episodes show a similar pattern. The estimated size of the addict population increased from 9,000 in 1978 to 16,500 in 1981 and dropped to 15,500 in 1982. The average age of heroin overdose victims continues to increase from 30 in 1979 to 34 in 1983.

PCP.—PCP use has been on the rise since 1980. Emergency room episodes increased over 100 percent from 51 in 1981 to 106 in 1982. A total of 29 PCP emergency room episodes were reported in the first quarter of 1983.

Cocaine.—Use of this drug continued to rise from 1979 through the first quarter of 1983. Emergency room episodes increased from 26 in 1978 to 52 in 1982. In the first quarter of 1983, 18 episodes were reported.

Price/purity.—The price per milligram of street heroin fell below $3.00 in 1979 and remains under $3.00 at present. Purity has increased from about 3 percent in 1979 to 4–7 percent at present.

The Members thanked the panel for their excellent statements. Some of the additional points made in response to questions were:

There is a waiting period for treatment in Boston of 3 weeks to 6 months, more than 3 weeks in the District of Columbia, and 2–3 months in Philadelphia, except for methadone maintenance clinics which accept clients when they present themselves for treatment. This policy, however, has resulted in the heavy overutilization of these facilities, forcing them to operate at 130 percent capacity, reducing ancillary services and raising the potential for loss of quality of care.

Heroin emergency room episodes in Boston increased 34 percent in 1981–1982 over 1979–1980. For the first 6 months of 1983, heroin mentions were 15 percent above the same period for 1982.

The District of Columbia continues to collect CODAP data and share it with NIDA although the District has not been required to do so since 1981.

48 percent of the clients in treatment in the District of Columbia are unemployed and without any means of support. The city's drug services administration has been able to obtain some vocational rehabilitation slots from other city agencies but the need is much greater than can be met in this way.

The Committee had hoped to hear from Mrs. Joyce Nalepka, Senior Vice President of the National Federation of Parents for Drug-Free Youth, and also from Father John McVernon, Executive Vice President of the National Association on Drug Abuse Problems, Inc. (NADAP). Unfortunately, there was not enough time to hear their presentations, but they did submit statements for the record.

Mrs. Nalepka's testimony discussed the growth of the parents movement from small groups of concerned parents in individual communities to a national organization with almost 4,000 affiliated parent groups across the country. She said one of the Federation's main goals is to educate parents, educators, physicians and other concerned citizens about the dangers of adolescent drug abuse and to get them involved in parent/community task forces to address the problem at the local level. As the umbrella organization, the Federation provides technical assistance, materials, advice and encouragement to help local parent groups get started.

The Parents Federation espouses a philosophy of saying "No" to drug and alcohol use by children and supports the view that there is "no responsible use" of drugs by children. Mrs. Nalepka's statement called for the media to be more responsible in avoiding messages that glamorize drug use and to get more involved in actively supporting drug abuse prevention efforts. She pointed to the "Chemical People" project, which the NFP cosponsored and which aired on all 300 Public Broadcasting Service stations in November, as an example of how the media can contribute to drug abuse prevention.

The NFP's theme for 1983-84 is "Come on, America! Stick your neck out for kids and help stop adolescent drug and alcohol use." The NFP's first award for "sticking your neck out for kids" went to First Lady Nancy Reagan in October. The NFP has also begun operating a new national toll free number to respond to requests for information about drug abuse among children and how to prevent it. The number is 800-554-KIDS.

NADAP, located in New York City, is an organization formed by the business community, with a board comprised of corporate and union leaders, whose purpose is to study the relationship between drugs and work and to lessen the harm that drugs bring to our Nation. Their activities involve services to troubled employees and those who try to help them such as treatment counselors and employee assistance programs.

Father John McVernon's statement emphasized the importance of employment in the rehabilitation of recovering substance abusers. He called for increased emphasis in the Federal drug strategy on vocational issues. He urged that more research be done on programs that emphasize employment to see how their participants do in their work and their recovery. He also said the Federal Government should encourage, or even initiate, work centers in

certain large cities to channel the job-ready treatment successes into the mainstream of employment.

Another focus of McVernon's statement was on prevention. He called for increased emphasis on prevention in the Federal strategy, saying the strategy "should encourage increased communication between prevention and treatment, between drug abuse services and the whole human service system, between human service and the whole range of community resources." He emphasized that every segment of society will have to play a role in solving the tragic problem of drug abuse.

Recognizing the national and international dimensions of the drug abuse problem, the Select Committee believes the Federal Government must play a much more vigorous role in providing national leadership in efforts to reduce the demand for drugs. The Federal Government must also establish a full partnership with States and localities in helping them meet the needs for effective drug abuse prevention services in their areas. To this end, and on the basis of testimony presented to the Committee at this and other Committee hearings on the Federal strategy throughout the year, the Committee makes the following recommendations:

ADMS block grant.—

Funding.—The Select Committee recommends reauthorization of the ADMS block grant which expires at the end of fiscal year 1984. The Select Committee further recommends that the Administration request and Congress appropriate funds sufficient to restore Federal support for substance abuse services to at least the levels that existed prior to the initiation of the block grant.

Testimony presented to the Committee makes it clear that Federal support for substance abuse services has been reduced substantially as a result of cuts under the ADMS block grant. These cuts are having a devastating impact on the capabilities of States to meet the need for treatment services, particularly when the demand for treatment in many areas is increasing due to the widespread availability of illegal drugs such as heroin and cocaine and the increased use of these drugs. Testimony also indicates that State and local budgets as well as contributions from private insurance and other private sources cannot fill the gap left by Federal budget reductions. In addition, one of the primary justifications offered for reduced funding under the block grants was that these cuts would be offset by administrative savings. These savings have not occurred with respect to drug abuse services because Federal funds for these services under the former categorical programs already were administered largely by the States. Moreover, a number of NIDA-sponsored studies have shown that drug abuse treatment works, and as several witnesses before the Committee have pointed out, the savings we achieve when we reduce funds for treatment are illusory because we only pay for drug abuse in other, more costly, ways such as increased crime, welfare, and incarceration. The Committee believes the national treatment system developed in the 1970's with strong Federal support will be weakened substantially unless Federal funding is restored at least to the pre-block grant levels.

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Public participation.—The Committee recommends the inclusion of stronger provisions in the ADMS block grant to assure greater public participation in the development of grant applications by the States.

Although the ADMS block grant gives States broad flexibility to determine how block grant funds will be distributed, Congress intended the decisionmaking process to be open to the public. Section 1915(b) of the Public Health Service Act requires State legislatures to conduct public hearings on the proposed use and distribution of funds to be provided under the ADMS block grant for each fiscal year. Section 1915(d) requires each State's application for ADMS block grant funds to include a description of the intended uses of the funds. This description must be made public in such a way as to facilitate public comment during the development of the description and after its transmittal. The description must be revised as necessary throughout each year, and these revisions are also subject to public comment.

In addition, chapter 2 of title XVII of the Omnibus Budget Reconciliation Act of 1981 requires each State to prepare a report for each fiscal year on the proposed use of block grant funds, to make the report public on a timely basis and to hold a public hearing, after adequate public notice, on the report. The purpose of these requirements is to help assure that block grant funds are allocated for programs of special importance to meet the needs of local governments, their residents and other eligible entities, and to help assure that urban and rural governments are treated fairly in the distribution of block grant funds.

Testimony by the representatives from Philadelphia and Boston indicate that the congressional intent and provisions concerning public participation are being ignored. Furthermore, the Committee cannot understand how States can identify "those populations, areas and localities . . . with a need for . . . drug abuse services," as directed by section 1915(c)(10) of the Public Health Service Act, without full public participation in the development of block grant applications. We urge that the public participation provisions of the ADMS block grant authorization legislation be strengthened and that Federal oversight of State compliance with public participation requirements be enhanced.

Earmarking.—The Select Committee recommends that Congress review the earmarking provisions of the ADMS block grant, such as the 20 percent prevention set-aside, to determine whether they are operating effectively or whether, as appears to be the case in Pennsylvania, they are inhibiting the allocation of funds to areas where they are needed most.

Aid to cities.—The Select Committee recommends that Congress consider a program of special financial assistance for drug treatment and prevention activities to our large urban areas, where the problems of drug abuse are especially severe. This special assistance could be provided in a new categorical or block grant program for cities, or by including additional funds in the ADMS block grant to be targeted or passed through to heavily impacted urban areas within States, based on demonstrated need.

A number of witnesses who have testified before the Committee at this and earlier hearings this year have emphasized the unique

needs of our major cities in meeting their drug abuse problems. Contrary to the declining drug abuse trends reported nationally by NIDA, numerous State and local witnesses have testified that the abuse of heroin, cocaine and other dangerous drugs has risen dramatically in many of our large urban areas over the past three to four years and remains high or continues to increase. Treatment systems in many cities are reeling under the combined pressures of a heavy and growing demand for treatment services and the loss of financial support for treatment programs due to Federal budget cuts. The Select Committee believes the Federal Government should aid cities in meeting their unique needs through a program of special assistance that will increase the availability of treatment and prevention services and help reduce the impact of drug abuse on users, their families and the many other persons and institutions adversely affected by drug abuse.

Strategy Council.—The Select Committee recommends that the President immediately appoint a drug abuse Strategy Council as required by section 302 of the Drug Abuse Prevention, Treatment and Rehabilitation Act (21 U.S.C. 1162). If the President has determined that the Strategy Council concept needs revision, we call upon him to submit his recommendations for changes to the Congress immediately.

The Drug Abuse Prevention, Treatment and Rehabilitation Act requires the President to establish a Strategy Council to develop the comprehensive, coordinated long-term Federal drug strategy mandated by the Act. The law specifies that the membership of the Council shall include certain cabinet-level officials, other officials the President determines to be appropriate, and "no fewer than five members from outside the Federal Government, at least one of whom shall be a representative of State government who is responsible for dealing with drug abuse problems and one of whom shall be a representative of local government who is responsible for dealing with such problems."

The Administration issued its Federal strategy document in October 1982. During the Committee's Federal strategy hearing on November 1, 1983, Dr. Carlton Turner, the President's Special Assistant for Drug Abuse Policy, told the Committee that the President had not appointed a Strategy Council because the Council had met only once during the previous Administration and the Council structure was incompatible with the system of cabinet councils established by the President to develop and coordinate drug policy. Turner also claimed that his office had consulted informally with "national and international experts in the field of drug abuse" for input into the strategy. Mr. Gilman, the Committee's ranking minority member, recalled that that Strategy Council had met several times in the prior Administration. He also objected that the efforts taken by the Administration to develop a system for policy coordination and to consult informally with outside experts did not meet the mandate for a Strategy Council. He urged the Administration to take another look at the requirement for a Council and told Turner, "It would seem to me that a formal national Strategy Council could be of a great deal of assistance to the Administration."

During the Committee's hearing on November 2, 1983, Paul Robinson from NACDAC, an orgainzation that represents city drug treatment administrators, told the Committee that NACDAC had not been consulted in the preparation of the Administration's drug strategy. Kenneth Eaton said NASADAD had prepared comments on a draft of the strategy document. He subsequently indicated, however, that the opportunity for NASADAD to participate in the strategy development had been totally inadequate. Eaton also said NASADAD had never been invited to meet with Dr. Turner, and Paul Robinson said that Turner had declined an invitation to meet with NACDAC members in Washington, D.C.

The Committee is deeply concerned that the Administration has failed to meet its obligation under the law to establish a Strategy Council. In the comprehensive recommendations the Committee made to the House in our Annual Report for 1981 (H. Rept. 97-418, Part II, p. 58), the Committee said:

> We are well aware that the strategy council has not always functioned as envisioned. Nonetheless, the purpose that the Council was intended to serve, i.e., to assure the consideration of a broad range of views in developing a national drug strategy, is an important one. We are prepared to work with the Administration to develop any reasonable alternatives to the strategy council that may be necessary, provided such alternatives will accomplish this fundamental purpose.

We reaffirm our support for the establishment of a Strategy Council or similar formal mechanism to assure broad public participation in the development of a national drug strategy. We urge the President to appoint a Council as required by section 302 or to propose an alternative mechanism to Congress so that such a mechanism can be put in place in time to play an active role in the preparation of the Federal strategy report the President is required to submit to Congress by August 1, 1984 (section 305, Drug Abuse Prevention, Treatment and Rehabilitation Act, 21 U.S.C. 1165, as amended by Section 4, Public Law 98-24, Alcohol and Drug Abuse Amendments of 1983.)

NIDA.—The Committee recognizes the important contributions of the National Institute on Drug Abuse in reducing the demand for drugs. The Committee believes, however, that the Institute's programs have been weakened through budget constraints in recent years and recommends the provision of additional resources to strengthen NIDA's efforts in several areas as outlined below.

Research.—The Committee supports extension of the agency's research authority prior to its expiration at the end of fiscal year 1984. The Committee recommends the authorization and appropriation of funds sufficient to restore NIDA's research program to the levels that existed prior to the shift to the ADMS block grant in fiscal year 1982.

Information provided to the Committee from NIDA indicates that prior to fiscal year 1982, NIDA supported most of its prevention and treatment assessment research from its funds for support of community drug services. Most of its epidemiology program was supported from non-research funds, too. However, with the advent

of the ADMS block grant, coupled with cuts in other portions of NIDA's budget, it became necessary to fund treatment and prevention assessment and the epidemiology program, as well as research, from the research budget activity appropriation. As a result, the total funds available for NIDA's research program fell from $54.6 million in 1980 and $52.5 million in 1981, to $39.9 million in 1982, a drop of more than 25 percent without taking inflation into account. For 1983, NIDA had $47.6 million available for research, still far below the 1980 level. The number of extramural research projects supported by the agency fell from 423 in 1980 to approximately 313 in 1983. For 1984, the President's budget requested $56.2 million for NIDA research, only $1.6 million above the 1980 level, to fund an estimated 347 extramural research projects. Congress appropriated only $54.6 million, the same amount as the 1980 program level.

Acquiring new knowledge is essential to the development of new treatment and prevention approaches. Maintaining a comprehensive and coordinated drug abuse research effort is a uniquely Federal responsibility. The Committee urges the Administration and Congress to restore NIDA's research program to at least the level that existed in 1980 prior to the drastic budget cuts that occurred at the time of the shift from categorical to block grant funding for drug abuse services.

Research training.—The Committee recommends increased funding for NIDA's research training program.

NIDA's budget for research training has also been pared, although not as severely as the research budget. For 1984, the agency requested $973,000, an increase of $82,000 over the 1983 level but $144,000 below the 1981 level of $1,117,000.

The purpose of NIDA research training programs is to train young scientists for careers in drug abuse research. The development of skilled researchers is critical to maintain the quality of drug abuse research efforts. Dr. Pollin told the Committee that NIDA would like to involve more individuals in the agency's research training program and that efforts were underway to see if the number of trainees could be increased within the levels of existing appropriations.

The Committee recognizes the importance of research training and recommends restoration of the program to at least the 1981 level. The Committee does not believe that research training should be increased at the expense of other NIDA programs.

Public information and technical assistance.—The Committee recommends the appropriation of additional funds to strengthen NIDA's public information and technical assistance efforts. The Committee also believes the National Clearinghouse for Drug Abuse Information in NIDA should be given a clear mandate within the Executive branch to coordinate the development and dissemination of public information about drug abuse.

One of the principal objectives of the Federal strategy is to produce accurate and clearly written information about drugs and alcohol and make this information widely available in a credible form to be used in education and prevention efforts. NIDA, through the National Clearinghouse on Drug Abuse Information

(NCDAI), is the Federal agency with primary responsibility for dissemination of drug abuse information to the public. Because NIDA is a focal point for drug abuse information and expertise at the national level, it is also responsible for providing technical assistance to State and local organizations and other Federal agencies.

A number of witnesses before the Committee have commented on the importance of a strong public information effort and on the need for NIDA to provide leadership to States and localities through technical assistance. As in other areas, however, NIDA's public information and technical assistance capabilities have been cut back severely. In her testimony Dr. Gullattee decried the cutbacks in funds for the NCDAI. The Committee has also received numerous complaints from school and community leaders who are unable to obtain sufficient quantities of materials from NIDA. In addition, the Committee is aware that Pyramid, one of NIDA's primary vehicles for providing technical assistance, has been cut to one-third of its former level. The Committee urges the restoration of NIDA's capabilities in these areas so that NIDA can provide the national leadership in public information and technical assistance that is needed.

The Committee also learned recently that drug abuse pamphlets prepared for ACTION by the American Council for Drug Education were not reviewed by NIDA for accuracy or to determine whether suitable materials were already available. The Committee understands that appropriate materials were available through NIDA on several of the subjects covered in the pamphlets. The Committee believes the Clearinghouse should be given a clear mandate to review drug abuse materials prepared for distribution by Government agencies, in order to avoid the potential for duplication of effort.

CODAP.—The Committee recommends the appropriation of additional funds, either through the ADMS block grant or to NIDA directly, to reestablish the regular reporting of uniform data on drug abuse clients in treatment.

Since the shift to block grant funding for drug abuse services in 1982, States have not been required to report CODAP data. CODAP provided a broad data base on clients in treatment in federally funded drug abuse treatment programs and was a useful tool in assessing and projecting drug abuse trends both nationally and at the regional and local levels. It also served as a management aid in allocating scarce drug treatment and prevention resources to areas of greatest need.

Some States continue to report CODAP data to NIDA on a voluntary basis. The reporting is not complete, however, and Dr. Pollin told the Committee that there are considerable variations from State to State in the extent of information gathered and how it is analyzed.

Although NIDA is working to develop an effective CODAP system through voluntary State participation, the Committee strongly doubts whether this effort will be successful. Kenneth Eaton and other State representatives who have testified before the Committee indicate that many States continue to view a national client data system as a useful and necessary tool for allocating resources, but they do not have the funds to participate in such a

system on a voluntary basis. The reduced level of Federal support for drug services under the ADMS block grant has forced many States to reallocate funds from data collection efforts to basic treatment services. Without Federal support, States are not able to support continuance of CODAP.

The Committee recognizes the importance of a unified, national data collection system to Federal and State drug policy development. The Committee is concerned that without Federal coordination and financial support, the information provided by CODAP will be lost permanently. Accordingly, the Committee recommends the provision of additional Federal resources to support the CODAP system.

Executive coordination.—Although stated in other parts of this report, the Committee reiterates its support for the appointment of a high-level official within the executive branch to coordinate drug abuse functions of the Federal Government and to provide high visibility leadership and direction at the national level in drug abuse efforts.

Several State and local witnesses before the Committee have called for stronger Federal leadership in drug prevention efforts. While reserving judgment on so called "drug czar" legislation, Kenneth Eaton called for someone at the Federal level to pull together the various "pockets of programs" that exist in the Federal Government. Paul Robinson supported a high-level Executive branch drug coordinator and pointed to the Special Action Office for Drug Abuse Prevention established during the Nixon Administration as a possible model. As discussed in more detail in other sections of this report, the Committee supports the establishment of such a high-level drug coordinator in the Executive branch.

Prescription drug diversion.—The Committee supports renewed funding for DEA to establish Diversion Investigation Units (DIU's) or the enactment of new legislation authorizing assistance to States in preventing prescription drug diversion.

The diversion and abuse of prescription drugs is a major and growing problem. The Federal Government's role in preventing this diversion and abuse has been curtailed significantly by the elimination of Federal support for DIU's. Several witnesses called for increased Federal efforts in this area. The Committee recommends the commitment of additional resources to enhance Federal drug diversion control efforts in cooperation with State and local governments and licensing agencies.

Forfeiture.—The Committee recommends the enactment of legislation to permit drug proceeds forfeited to the Government to be used in drug law enforcement and drug abuse treatment and prevention efforts.

The illegally acquired assets of drug traffickers which the Government obtains through forfeiture proceedings represent a potentially large source of revenue that can be used to fund drug prevention and control efforts. The Committee recommends the enactment of new authority to permit a portion of forfeited drug proceeds to be used for both drug supply and demand reduction efforts.

8. DRUG TRAFFICKING AND ABUSE ON THE TEXAS GULF COAST AND SOUTHWEST BORDER

December 12 & 13, 1983

Witnesses:

The Honorable Luther Jones, Mayor, Corpus Christi, Texas

The Honorable Carlos Truan, State Senator, The State of Texas

Mr. Marion Hambrick, DEA-Agent-in-Charge, Houston, Texas

Mr. Daniel K. Hedges, U.S. Attorney, Southern District of Texas, Houston, Texas

Mr. Donald F. Kelly, Regional Commissioner, U.S. Customs Service, Houston, Texas

Rear Admiral William H. Stewart, Eighth Coast Guard District, New Orleans, Louisiana (Also NNBIS coordinator for the Gulf Region)

Mr. J. William Carter, U.S. Immigration and Naturalization Service, Deputy Regional Chief, Border Patrol, Southern Region

Mr. James T. Hickey, Sheriff, Nueces Country, Corpus Christi, Texas

Mr. Bill Banner, Chief of Police, Corpus Christi Police Department, Corpus Christi, Texas

Mr. Andy Vega, Chief of Police, Brownsville Police Department, Brownsville, Texas

Ms. Christine Meadows, Executive Director, Corpus Christi Drug Abuse Panel, Corpus Christi, Texas

Dr. Maria Luisa Garza, Gulf Coast—National Council of La Raza, Corpus Christi, Texas

Mr. Robert Warren, Director, Palmer Drug Abuse Program, Brownsville, Texas

Mr. Daivd Pollard, Kleberg County Alcoholism Office, Kingsville, Texas

Mr. Richard E. Salwen, Esq., Texans War Against Drugs, Dallas, Texas

The Honorable Sam Lozano, Mayor, City of Harlingen, Director, School Community Guidance Center, Harlingen, Texas

Mr. Vernon C. Johnston, Century 21-Johnston Co., Harlingen, Texas

Mrs. Ella Prichard, Board of Directors, National Federation of Parents for Drug Free Youth, Corpus Christi, Texas

Mrs. Burma Barnett, President, City Council PTA, Corpus Christi, Texas

Mr. Jesse Benton, Principal, Stell Intermediate School, Brownsville, Texas

Dr. Jose Gallegos, Superintendent, Robstown, ISD, Robstown, Texas

Dr. Vance Littleton, Superintendent, Corpus Christi ISD, Corpus Christi, Texas

Ms. Deena Watson, State Drug Abuse Director, Drug Abuse Prevention Division, Texas Department Community Affairs, Austin, Texas

Dr. D. D. Simpson, Director, Behavioral Research Program, Texas A&M University, College Station, Texas

Mr. Marvin Veselka, Associate Commissioner for Professional Support, Texas Education Agency, Austin, Texas

Right Reverend Monsignor Dermot N. Brosnan, Patrician Movement, San Antonio, Texas

Colonel Jim Adams, Director, Department of Public Safety, Austin, Texas

Mr. Fred Lee, Criminal Justice Division, Austin, Texas

Mr. Richard Hartley, Administrative Assistant to Director of Texas Department of Corrections, Huntsville, Texas

As part of its responsibility to investigate drug abuse and drug trafficking wherever it occurs, the Select Committee on Narcotics Abuse and Control on December 12 and 13, 1983 held a hearing in Corpus Christi, Texas on "Drug Trafficking and Abuse on the Texas Gulf Coast and Southwest Border". An issue discussed at the hearings was the shifting pattern of drug trafficking from South Florida to Texas as a result of the formation by the Federal Government of the South Florida Task Force and the effectiveness of the drug enforcement efforts of the Federal Government to counter this, especially through the National Narcotics Border Interdiction System known as NNBIS. Another theme of the hearing was to examine Federal enforcement efforts to curtail the increased smuggling of a new high quality heroin from Mexico.

Congressmen in attendance for the hearing on Monday, December 12, were Chairman Charles B. Rangel (D-N.Y.), Reps. Benjamin Gilman (R-N.Y.), Solomon Ortiz (D-Tex.), Sam Hall (D-Tex.), and Kent Hance (D-Tex.). Congressmen Rangel, Hall and Ortiz were present for the hearing on Tuesday. The hearing was held in the Congressional District represented by Congressman Solomon Ortiz.

The Select Committee went to Corpus Christi to investigate reports of growing heroin addiction in the Brownsville, Corpus Christi, and San Antonio, Texas areas and drug treatment and prevention activities in the region and the need for comprehensive drug education. Figures obtained by the Select Committee from the National Institute on Drug Abuse indicate that in 1982, the last year for which figures are available, there were 1,735 drug abuse-related emergency room episodes in Dallas, while in San Antonio in 1982 there were 1,226 emergency room episodes. The medical examiner in Dallas in 1982 reported 47 drug-related deaths. In San Antonio there were 46 drug-related deaths reported by the medical examiner.

In his opening statement Rep. Gilman said that "while the Mexican Government has been very cooperative in their efforts to eradicate the illegal cultivation of marihuana, we are receiving disturbing reports of increased trafficking in heroin, cocaine and other dangerous substances to the United States." Rep. Solomon Ortiz told the audience at the hearing that "previous testimony has revealed the need to educate our school children, and that education must begin early in their life. It should be a joint effort among parents, educators and the total community. The question becomes what should be the curriculum and when do we begin this educational process."

Luther Jones, the Mayor of Corpus Christi, told Members of the Select Committee that from January to November 1983 there were seven drug overdose deaths in Corpus Christi and that during the

same period of time the Corpus Christi Police Department made 1,362 arrests for drug offenses. State Senator Carlos Truan, Chairman of the Committee on Public Health of the Texas Senate, advocated a balanced approach toward drug abuse with an equitable allocation of funds split among drug interdiction and enforcement efforts and drug abuse prevention, education, and treatment programs. Mr. Truan told Committee Members that because of a lack of financial resources, the State of Texas had not been able to implement a drug abuse education program statewide. Five years ago the McAllister Act, which would establish such a program, was passed in Texas. However, to date the State Legislature has not passed any appropriation to carry out the Act.

Next the Select Committee received testimony from Federal officials involved in drug interdiction efforts. Mr. Marion Hambrick, DEA-Agent-in-Charge, Houston, Texas said that Texas was a prime transshipment point for drugs and that 34 percent of the heroin in the U.S. comes from Mexico. He said that heroin abuse in Texas was increasing and that while Florida is still the primary entry point of cocaine into the United States, Cuban and underworld figures are moving into Texas. Mr. Daniel Hedges, U.S. Attorney, Southern District of Texas, stated that his number one priority was narcotics enforcement. He said that in the past two years we have gone from having no one with formal responsibility for prosecuting narcotics cases to seven full-time and four part-time narcotics prosecutors. According to Mr. Hedges, the current caseload of criminal matters and cases throughout the Southern District of Texas is 1,951, and of that number, 466 or 24 percent, involve narcotics. In the Corpus Christi Division, the total criminal caseload is 189 cases and matters. Of that number 107, or 55 percent involve narcotics.

Mr. Donald Kelly, Regional Commissioner, U.S. Customs Service, Houston, Texas told Select Committee Members we have seen a shift in narcotics from Florida to Texas since formation of the South Florida Task Force. He said that the marihuana business right now is going off the charts. He indicated that throwing money and people at the problem of drug use and abuse will not solve it and that "we have to manage the problem better by increasing our intelligence capability." He said that the Customs Service has been allocated 175 new investigator positions.

Rear Admiral William Stewart, Commander of the Eighth Coast Guard District, and since June 17, 1983 coordinator of the National Narcotics Border Interdiction System for the Gulf Region, said that the mission of NNBIS is to stop drugs at the border. NNBIS is intended to fill gaps in Federal Drug interdiction efforts, Admiral Stewart said. He said, "As of November 28, NNBIS participating agencies have seized 77.5 tons of marihuana, 1,806 pounds of cocaine, 5 pounds of heroin, 4 aircraft, and 9 vessels. Fifty-five arrests have resulted from the seizures. The value of the contraband is estimated at a conservative $260 million."

Mr. J. William Carter, Deputy Regional Chief, Border Patrol, Southern Region, U.S. Immigration and Naturalization Service, said that despite making 1,516 narcotics seizures along the Texas-Mexican border in the last three years, a large number of aliens avoided detection by the INS. He supported enhanced border enforcement, penalties for employers who hire illegal aliens and le-

galization of aliens who have been in the U.S. for a long period of time.

In the question and answer period following delivery of his prepared testimony, Mr. Donald Kelly of the Customs Service made the point that it is difficult to expedite traffic across the Texas-Mexican border and still do a thorough job of inspecting the people and vehicles crossing the border. He said he will soon put into effect at Brownsville, Texas, a new system of roving inspectors. Mr. Carter of INS said, "We are doing the best we can with the resources we have available, but we are not getting the job done." He indicated that there is a request pending for 1,000 additional agents who would be deployed along the border, but even these additional personnel would not be able to completely stop drugs from crossing the Mexican border into the U.S. Admiral Stewart said that the present level of Coast Guard resources was adequate, while Mr. Hambrick told the Select Committee that the Drug Enforcement Administration could always use more "buy money" with which to purchase illegal drugs. Rep. Gilman voiced concerns that these Federal agencies may be duplicating one another's effort. Mr. Kelly admitted to Chairman Rangel that "we know heroin is coming into the U.S., but we have not done a good job interdicting it." He added, "The problem is that heroin comes in in small amounts and can be hidden in many places." He indicated that the Customs Service is in the process of developing a drug sensing device for use at the border.

The Select Committee next received testimony from a panel of local law enforcement officials comprised of Mr. James Hickey, Sheriff, Nueces County, Corpus Christi, Texas; Mr. Bill Banner, Chief of Police, Corpus Christi Police Department; and Mr. Andy Vega, Chief of Police, Brownsville Police Department. Mr. Hickey said that enforcement must be developed to its highest potential, but it is not the solution to the problem. He advocated better communication and cooperation between local and Federal law enforcement officials. He suggested taxing narcotics confiscated from narcotics dealers as ordinary income. He went on to say that the deterrent effect of this proposal would be greater than what the trafficker now faces in penalties.

Bill Banner told the people at the hearing that as a result of increased Federal interdiction efforts in south Florida, traffic is being diverted tc other areas. He said that isolated ranch and farm land in Texas is conducive to the building of illegal airstrips. He said that the price of cocaine in Corpus Christi had dropped from $75,000 per kilo in 1981 to $40,000 today. He said that a Texas wiretapping statute had been used against drug traffickers.

Andy Vega said that because of its location right on the Mexican border, Brownsville, Texas, had a unique narcotics enforcement problem. He said that an adequate drug enforcement program would require about 20 officers, but that now only two field officers, a supervisor and a secretary work on drug cases. He urged that increased Federal financial assistance be given to cities on the American side of the Texas border. He favored giving U.S. Attorneys additional resources to prosecute drug cases. Finally, he supported starting drug education programs at an early age in the schools.

In the question and answer period following their testimony, Mr. Hickey said that while we have always worked with the Drug Enforcement Administration, DEA has not always trusted local law enforcement people, fearing leaks. Mr Vega said our cooperation with DEA and the Bureau of Alcohol, Tobacco and Firearms of the Treasury has been good. Mr. Hickey said that he has received a declining amount of Federal assistance, while there has been an increase in drug traffic. He indicated that he gets no financial assistance from the State of Texas. Mr. Vega admitted to Rep. Ortiz that he is fighting an international problem with local resources. He said that the Federal officials made a limited amount of "buy money" available to him. He said cooperation with Mexican police officials was minimal. Chief Banner concurred that he received minimal cooperation from Mexican police officials except for a few specific cases. Mr. Hickey said that Mexican cooperation was necessary to solve the drug problem. Rep. Sam Hall voiced concern that the local law enforcement people did not know how many personnel from various Federal law enforcement agencies were operating in their area. Chairman Rangel said that the present border checkpoint system in Brownsville was unworkable. Mr. Hickey told Select Committee members that less than one percent of arrests made by the sheriff's office of Nueces County were for drugs. Mr. Vega said that 25–30 percent of the man hours of the Brownsville Police Department are devoted to narcotics arrests. Rep. Ortiz declared, "As public officials, it is our responsibility to mobilize public opinion. We cannot sit idly by."

A recurring theme encountered by the Select Committee in 1983 has been that the Federal Government has left much of the responsibility for ending drug abuse to the States without giving them adequate resources to accomplish this. Drug abuse treatment and prevention professionals have made this point repeatedly with respect to the block grant, but it was also mentioned by the panel on local law enforcement at the Corpus Christi hearing.

James T. Hickey, Sheriff of Nueces County told the Members of the Select Committee:

> The recently re-activated Coastal Bend major Crimes Task Force, which when completely organized, will include 15 or more counties of South Texas. A recent polling of views of many of the Sheriffs and Chiefs of Police of this Task Force, created an echoing of the problems which my own department has experienced: shortages of manpower, equipment and funds; decreased personnel levels of Federal enforcement agencies; lack of educational programs to forestall entry into drug use; lack of specialized training for narcotics agents; and other operational deficiencies usually attendant to any law enforcement function that is less than reasonably successful.

Sheriff Hickey said,

> I propose the allocation of realistic levels of Federal manpower to those areas that experience and are most suitable to extensive importation of narcotics; assistance at the local level in equipment, funds, cooperation and com-

> munications capabilities among agencies at all levels which can be best effected at the Federal level.

Bill Banner, the Chief of Police in Corpus Christi, told Members of the Select Committee

> * * * successful narcotics enforcement in any area is costly, requiring vast resources of manpower and material if that effort is to prevail. Local jurisdictions are hard-pressed to provide such efforts, especially in the face of municipal budget cuts and reduced or cancelled Federal programs such as the Law Enforcement Assistance Administration and other Federal and State programs previously in existence that were designed to assist municipalities in law enforcement efforts.

Andy Vega, Chief of Police, Brownsville, Texas stated,

> Over the years our Crime Task Force has in combination with the various Federal law enforcement agencies, addressed drug trafficking. However, this system appears hardly adequate since these Federal agencies are not adequately staffed either. Even so, a great number of cases have been made with their combined efforts and they are to be commended for what they have accomplished with limited resources.

The record of the hearing on "Drug Trafficking and Abuse on the Texas Gulf Coast and Southwest Border" demonstrated clearly that there is a serious drug trafficking and abuse problem in South Texas. It also showed that communication and cooperation among Federal, State, and local law enforcement personnel could be improved. While the Federal Government has devoted some law enforcement personnel and resources to South Texas, more will have to be forthcoming if the situation is to improve. Many of those jurisdictions along the border have very limited financial resources to devote to drug law enforcement. It is unrealistic to expect the situation to improve without additional Federal manpower and money. As Chief Banner said in his testimony,

> Those endeavors to combat drug abuse and narcotics smuggling clearly point out that it is not only a police problem but a societal one. If we are to be successful in our efforts to substantially reduce its effects on our cities, it is essential that we address it within that scope. Only with the combined forces of government and citizens working together will we be able to realize our goal.

The next panel was comprised of Dr. Maria Luisa Garza, Gulf Coast-National Council of La Raza; Robert Warren, Director, Palmer Drug Abuse Program; David Pollard, Kleberg County Alcoholism Office; Richard Salwen, Texans War Against Drugs; and Christine Meadows, Executive Director, Corpus Christi Drug Abuse Panel. This panel gave the Select Committee their views on drug abuse treatment and prevention needs of south Texas. The Gulf Coast Council of La Raza is a community-based organization devoted among other things to preventing drug abuse. Dr. Garza said drug abuse will not be corrected by expelling children from school

and punishment techniques. She supported formation of a drug intervention network to discourage people from using drugs. She told the audience that parents always think some other child besides their own is using drugs and if they discover that their child is using drugs, they do not know where to turn for assistance. Dr. Garza declared that our society must be educated to the value of drug abuse prevention. Specifically, she favored appropriating sufficient money for drug abuse prevention programs, permitting community-based drug abuse programs to offer drug abuse prevention services and raising the level of awareness of the benefits of drug abuse prevention within individual communities.

Robert Warren, Director, Palmer Drug Abuse Program told Select Committee Members that it is easy for people age 12-25 to buy drugs in the Rio Grande Valley and that they are able to buy prescription drugs in Mexico. He said there are gaps in prevention and treatment services in the Rio Grande Valley. For example, there is no detoxification facility in Brownsville. He suggested that the Committee investigate "red tape" associated with private industry opening a drug abuse treatment facility in south Texas. He was also critical of the high cost of Federal drug abuse pamphlets.

David Pollard told Select Committee Members that there is a big gap in drug abuse treatment services in Texas. He said that drug use had now been found among second graders (7 years old) in some south Texas schools. He said, "People do not realize the pressure that children are under. The best solution would be to treat them before they become addicts and alcoholics." Chairman Rangel said that there must be political support for drug abuse treatment and prevention programs for them to work, but that drug addicts are not politically powerful.

Richard Salwen described the Texans War Against Drugs, whose purpose is to find within individual communities cost-effective strategies to prevent drug abuse. He supported Federal research on drugs, especially marihuana, and more emphasis on drug interdiction. He also favored allocating more money to train local law enforcement personnel and aggressive Federal drug eradication efforts. He said the Texans War Against Drugs particularly wanted to stop marihuana use, which often leads to use of other drugs, and also to stop inhalant abuse by school children.

Christine Meadows said she operates the Corpus Christi Drug Abuse Panel with 60 percent Federal money and 40 percent local money. This translates into $247,498 in Federal funds and $164,999 in local funds for 1984. This is an 11 percent cut from the previous funding year, and the local cash match was increased from 35 percent to 40 percent in 1983-1984 funding. "There are approximately 2,000 heavy drug abusing citizens in Corpus Christi proper not including the people who use marihuana or soft drugs on a daily basis. This agency is only funded to handle 183 clients and at the present time we are servicing 227 clients on a monthly basis. The additional clients are seen after hours on personal time. There is a client waiting list of 52 persons," she said. The treatment offered is both drug-free and methadone maintenance.

At the conclusion of the first day's hearing, Chairman Rangel and Congressmen Hall and Ortiz flew to Brownsville, Texas, for a meeting with some Mexican and American officials involved in

narcotics enforcement along the Texas-Mexican border. In Brownsville Rep. de la Garza (D-Tex) joined the group and participated in the discussion. The meeting took place at the Fort Brown Hotel. The following people attended the meeting:

The Honorable Charles B. Rangel, Chairman, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

The Honorable E de la Garza, U.S. Congressman

The Honorable Sam B. Hall, Jr., U.S. Congressman

The Honorable Solomon P. Ortiz, U.S. Congressman

Fernando Montemayor, Mexican Customs Official, Matamoros, Mexico

Alvaro Ceron-Alvarez, Chief of Police, Matamoros, Mexico

Enrique Hubbard Urea, Mexican Consul, Brownsville, Texas

Isaac Rubinovich, Representative of the Mayor of Matamoros, Mexico

The Honorable Emillo Hernandez, Mayor of Brownsville, Texas

Andy Vega, Chief of Police, Brownsville, Texas

Jim Pullen, DEA Agent-in-Charge, Brownsville, Texas

Horacio M. Ayala, DEA Agent-in-Charge, Monterrey, Mexico

Greg Kenaston, DEA Congressional Affairs, Washington, D.C.

Fernando Macias, Port Director, U.S. Customs Service, Brownsville, Texas

John Smith, Assistant U.S. Attorney, Brownsville, Texas

Ken Miley, DEA Special-Agent-in-Charge, McAllen, Texas

Homer Saenz, Special Agent, Director, Cameron County Organized Crime Task Force, Brownsville, Texas

Christ W. Heart, Resident-Agent-in-Charge, Bureau of Alcohol, Tobacco and Firearms, Brownsville, Texas

Filemon Vela, U.S. District Judge

Ricardo Hinojosa, U.S. District Judge

Freddie Gonzalez, Chief of Police, Edinburg, Texas

Danny Root, U.S. Consul in Matamoros, Mexico

John T. Cusack, Chief of Staff, House Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

Richard B. Lowe, III, Chief Counsel, House Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

Elliott Brown, Minority Staff Director, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

Michael J. Kelley, II, Majority Counsel, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

John Capers, Investigator, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

Lou Williams, Staff Member, Select Committee on Narcotics Abuse and Control, U.S. House of Representatives

Jose S. Garza, Legislative Director, Office of The Honorable Solomon P. Ortiz, U.S. House of Representatives

Merilee Mishall, Staff of The Honorable Solomon P. Ortiz, U.S. House of Representatives

Thomas Watts-Fitzgerald, Lieutenant Commander U.S. Coast Guard

Mr. Ken Miley, DEA, Special-Agent-In-Charge, McAllen, Texas stated,

> We need a national commitment to deal with the drug problem. When Americans are faced with problems we generally respond favorably, and we need a national will to solve the drug problem. Drug abuse is a national problem which cannot be isolated along State lines. The causes and solutions of drug abuse do not follow geographic lines. The paramount problem facing all law enforcement today is a problem of national will and the urgent need for action by city, State, and Federal governments, working with private citizens and with corporate involvement all making the necessary commitment to end drug abuse. Are we going to tolerate this? By not facing the situation squarely, America has developed a high tolerance for drug abuse. People have become prisoners in their own homes while criminals are running rampant. We need a national crusade to change the odds.

Chairman Rangel said, "We want to give violators the assurance that if they violate the law they will be prosecuted." Mr. Alvaro Ceron Alvarez, Chief of Police, City of Matamoros said that cooperation among Mexican and American police officials could be improved, as well as cooperation between local and Federal Mexican police officials. Mr. Christ Heart of the Bureau of Alcohol, Tobacco and Firearms advocated firearms tracing as a means of finding out who drug traffickers are. Rep. Sam Hall said that because of the money that can be made in drug trafficking it is easy to see why people become involved in drug trafficking. He stated he was opposed to making any changes in the border patrol responsibilities of the Customs Service and he urged the officials present at the meeting to be frank in discussing their needs. Chairman Rangel said he was displeased with the border inspection procedures currently being used. Mr. Vega, the Police Chief of Brownsville said that the problem is not lack of cooperation, it is that the magnitude of the problem stops being a law enforcement problem and becomes a political problem. The Mexican and American police officials agreed to a suggestion made by Chairman Rangel for another off-the-record meeting to discuss their mutual concerns in depth. He said he would be glad to return to Texas to participate in such a meeting and that he would ask Mr. Ortiz to organize it.

Mr. John Smith, the Assistant U.S. Attorney in Brownsville, Texas told the Congressmen present for the meeting that "if I had two more investigators we would need one more Federal posecutor and one more Federal judge in Brownsville, which would create a need for more jails." Mr. Smith was thus reiterating a point which has been made by other witnesses before the Select Committee: Enforcement of narcotics laws is dependent on availability of resources, not on whether a crime was committed. Federal and State prosecutors and judges know that jail space is limited and that if the jails become too crowded a court will order some form of corrective action be taken. Thus, prosecutors may not bring a case against someone who should be arrested for a narcotics offense or a judge may order some form of alternative punishment for a crimi-

nal who should go to jail, to avoid overcrowding. The Select Committee notes that this practice keeps criminals on the streets and endangers society. If the American people want strong narcotics law enforcement, they must be willing to pay the price, including hiring more police and narcotics investigators, prosecutors, judges, and building more jails.

On Tuesday, December 13, the Select Committee on Narcotics heard from four panels of witnesses. A panel of community leaders, educators, State representatives, and State law enforcement officials.

The panel of community leaders was composed of Sam Lozano, Mayor of Harlingen, Texas; Mr. Vernon C. Johnston of Harlingen, Texas, who lectures to elementary students about the dangers of drug abuse; Ella Prichard, representing the National Federation of Parents for Drug Free Youth; and Burma Burnett, President City Council PTA, Corpus Christi, Texas.

Mayor Lozano advocated alternative schooling arrangements for students who abuse drugs before they are expelled. He said once a student is expelled, he becomes a cost to society. He admitted that in some cases it may be necessary to expel a student who continues to abuse drugs. Vernon Johnston said that students as young as 7 years old, second grade, were abusing drugs in Harlingen. Ella Prichard was critical of out-of-date publications on drug abuse. She criticized the increased cost of the material published by the National Institute on Drug Abuse. Burma Burnett supported strong drug abuse prevention programs. She cited with approval the Skills for Family Living Project in Columbus, Ohio and the QUEST Program designed to promote high self-esteem among the high school students in Bloomfield Hills, Michigan.

The panel of educators consisted of Jesse Benton, Principal, Stell Intermediate School, Brownsville, Texas; Dr. Jose Gallegos, Superintendent Robstown Independent School District; and Dr. Vance Littleton, Superintendent Corpus Christi Independent School District. Mr. Benton said, "I think we are doing a good job taking care of the immediate needs of students." Despite the fact that a local ordinance in Brownsville makes it illegal to sell inhalants to minors, inhalant abuse by junior high school students in Brownsville is a problem. Speaking for himself and not as a representative of the Corpus Christi Independent School District, Dr. Littleton said, "Our law enforcement agencies must deal more forcefully with students who use drugs. Our efforts compare favorably to efforts of other school districts, but our efforts have not been too successful." Dr. Gallegos advocated beginning drug education programs in the low elementary grades and said that schools need more financial resources for drug education programs.

The panel of State representatives consisted of Deena Watson, the State Drug Abuse Director; Dr. D. Dwayne Simpson of Texas A & M University; Mr. Marvin Veselka of the Texas Education Agency; and Monsignor Dermot Brosnan, a drug abuse treatment specialist. Deena Watson advocated a balanced approach between supply reduction and demand reduction activities at all governmental levels. She said "We have not accomplished this." She stated that the Alcohol, Drug Abuse, and Mental Health Block Grant has given us more flexibility in running our drug abuse pro-

gram. According to Ms. Watson, there are approximately 700,000 people who use drugs in Texas. While admitting there was an increased demand for drug abuse services in Texas, she noted there were gaps in services in Texas. Dr. Simpson made three points in his testimony. "First, evidence of the effectiveness of drug abuse treatment services in lacking. Second, there is a need for a systematic drug abuse collection system to know what progress we are making and where we stand. Third, inhalant abuse is a growing problem in Texas, and we need more information on it." Mr. Veselka said that the required curriculum in Texas schools was in the process of being revised, and that beginning in March 1984 drug education will be a required part of the curriculum of schools in Texas beginning in grade 4 and continuing through high school. He said that teacher training should include information on drugs and classroom management.

Monsignor Brosnan is the founder and Executive Director of the Patrician Movement, a private non-profit corporation providing treatment and rehabilitation to substance abusers for the past twenty-four years in San Antonio, Texas. He urged both the Democratic and Republican parties to draw up a "National Manifesto" concerning drug and alcohol abuse, crime, and delinquency. He said, "This Manifesto should be fully supported by every level of Government, educational and church institutions motivating families and individual citizens to fight a common enemy."

Father Brosnan said, "I estimate we have in Texas 50,000 abusers of heroin, dilaudid, demerol, morphine, methadone; 250,000 abusers of amphetamines, barbiturates, methamphetamines, cocaine, toxicant inhalants, LSD, PCP, and 1,500,000 abusing marihuana. Yet we have about 8,000 people in the State getting treatment."

The panel on State law enforcement consisted of Colonel Jim Adams, Director, Texas Department of Public Safety; Mr. Fred Lee of the Texas Criminal Justice Division; and Mr. Richard Hartley of the Texas Department of Corrections.

In introducing Colonel Adams Rep. Sam Hall (D-TX), who has known him for 35 years, praised Colonel Adams for his dedicated service to law enforcement, both as a Federal and State official. Colonel Adams is a retired high-ranking official of the Federal Bureau of Investigation. In his remarks Colonel Adams made the following points: First, over the past several years Texas law enforcement officials have seen a change in drug trafficking trends within the State. Second, one gradual change deals with the land smugglers bringing marihuana across the border in private vehicles. In the past, it was not uncommon to seize 100–300 pounds of marihuana from the truck of a smuggler's vehicle entering Texas. Today, however, the trend seems to be for smugglers to break up larger loads and utilize more vehicles. Third, much of the marihuana smuggled into Texas is accomplished through the use of general aviation aircraft. Because of its close proximity to Mexico, and because of its vast, sparsely populated counties, South Texas provides air smugglers a safe place to land for refueling and/or offloading of its contraband cargo. Fourth, the shift of drug trafficking operations from Florida to Texas has been especially evident in the trafficking of cocaine. In only the past two months, two separate

seizures have yielded approximately 140 pounds of cocaine seized in Texas. Fifth, Texas, for the third straight year ranks first in the Nation in the number of clandestine laboratory seizures. Sixth, although the quantity of marihuana seized in recent years in Texas has not increased significantly, the quality or T.H.C. content of marihuana being seized has increased dramatically. Seventh, domestically grown marihuana has been on the increase in Texas recently. Thus far in 1983, 36,272 marihuana plants have been eradicated by Texas law enforcement authorities. Eighth, the Triplicate Prescription Program was established by the Texas legislature in 1981 as a method of controlling the diversion of legitimate drugs into the illegal market. In 1982 the first year of the program, statistics indicate that there was a 48 percent reduction in Schedule II prescriptions written in Texas. In the first nine months of 1983, an additional 13 percent reduction has been noted. A Schedule II prescription drug has an accepted medical use in treatment in the U.S., but abuse of the drug may lead to severe psychological or physical dependence.

Fred Lee said that there were eleven State organized crime units in Texas, four of which operated in the Gulf Coast area. He said he supported alternative schools for children who use drugs and by State statute 20 percent of all money of the Criminal Justice Division must go into juvenile justice programs. Richard Hartley of the Texas Corrections Department said that the 26 Texas prisons house 36,000 adult convicted felons. He quoted a March 1983 Bureau of Justice Statistics survey which found that more than half of the State prisoners surveyed across the country said they had taken drugs in the month preceding their arrest. He said that in Texas drug cases comprise 10.9 percent of the District Court cases and 9.7 percent of County Court cases. According to Mr. Hartley, as of November 29, 1983, 2,971 inmates or 6.1 percent of Texas' total prison population were there for drug offenses. He reported that inmates said peer pressure was the most frequent reason for their drug use.

9. SUMMARY OF HEARING FINDINGS

The Select Committee's comprehensive review of the 1982 Federal Strategy for the Prevention of Drug Abuse and Drug trafficking discloses policies that lack strong executive direction, require significantly greater resources, and need a clearer delineation of the missions and priorities of the agencies involved in combatting our Nation's drug abuse problem. These shortcomings of the Administration's strategy not only apply to it generally, but also to its various elements of international cooperation, law enforcement, education and prevention, detoxification and treatment, and research.

a. Executive direction

The 1982 Federal Strategy and subsequent Administration pronouncements set forth an elaborate and byzantine system of Cabinet Councils and Cabinet Committees, executive boards and working groups in which responsibility for drug policy coordination and implementation is dispersed and difficult to pinpoint. Furthermore, the White House Drug Policy Office and its Director are too far removed from the President to have a significant impact on the for-

mulation of drug abuse policy. In testimony before the Select Committee, Dr. Carlton Turner stated that he had met with President Reagan privately on drug abuse issues only twice since his appointment.

Drug Abuse policy must be raised not only to a higher priority on the national agenda, but to a level of increased importance on the organizational chart of the executive branch. One person with high credibility and direct access to the President must be in a position to oversee the relationship between national and international drug enforcement policies on one hand, and the functioning of our treatment and prevention system on the other. Only this will ensure the implementation of a drug abuse strategy that makes sense. Presently, we have failed through enforcement measures to significantly reduce the availability of illicit drugs or substantially reduce the number of abusers. At the same time we have reduced Federal support to drug abuse treatment and prevention efforts and abdicated Federal leadership in the area of drug abuse prevention, education and research.

H.R. 4028, which would establish the Executive Branch of Office of Drug Abuse Policy with definitive responsibility to coordinate and oversee the drug abuse functions by all Federal departments and agencies, is an important first step in insuring that drug abuse policy receives proper executive attention.

b. International narcotics control

International narcotics control does not rank high on our Nation's foreign policy agenda. Notwithstanding marked levels of the availability of illegal drugs, our present Federal strategy has failed to take the strong measures required to interdict and eradicate illicit drugs, wherever cultivated, processed or transported. Ignoring their obligations under the Single Convention on Narcotic Drugs of 1961 and the convention on Psychotropic Substances of 1971 most drug producing nations have continued to produce, manufacture and distribute narcotic and psychotropic drugs beyond what is needed for medical and scientific purposes and have failed to eradicate all unlicensed cultivation and suppress illicit drug traffic.

In the face of this failure of narcotic producing nations to recognize their international responsibilities, our own govenment has not utilized legal vehicles that exist to compel foreign nations to comply with their treaty obligations. Section 482 of the Foreign Assistance Act (the Rodino Amendment) requires the President to suspend economic and military assistance to any country that fails to take adequate steps to control the production, processing and transportation of narcotics and other controlled drugs. Current law (the Rangel Amendment) also requires the opposition by the United States to any multilateral development bank aid to narcotics producing, processing or transshipment countries that fail to take adequate steps to control exports of illicit drugs to the United States.

The failure to employ the Rodino and Rangel Amendments, as well as the failure to develop other imaginative and aggressive foreign policy and diplomatic approaches with narcotics producing and transshipment nations, is in large measure responsible for our Nation being awash in illicit drugs. The unwillingness of the Ex-

ecutive banch of our government to make use of existing remedies to impress upon source nations the need for effective narcotics control has led the Congress to enact stronger measures to assure compliance with this important policy. A recent amendment to the State Department Authorization Bill now requires the President to determine the maximum level of illicit drug production to be reduced annually in any nation receiving U.S. assistance and suspend all assistance if those targeted reductions are not met.

The Select Committee hopes for vigorous implementation of this section. Source country eradication and enforcement of our narcotic control laws is our most effective means of curtailing the level of drug abuse in our country.

c. Drug law enforcement

Drug trafficking and drug-related crime has placed an inordinate strain on the American criminal justice system. In every location of the country where the Select Committee took testimony from local law enforcement personnel their complaint was uniformly the same—police, prosecutors, judges, jails and prisons have all been overwhelmed by a continuous surge of drug-related criminal defendants. The criminal justice system, as a result, has been forced to make the critical decisions of arrest, bail, probation, and sentence based upon the size of the case load. As Chairman Rangel put it at the close of the Select Committee's final 1983 hearing in Corpus Christi, Texas, "Drug trafficking has forced our criminal justice system to be concerned with the quantity of defendants, rather than the quality of justice."

A strong Drug Enforcement Administration and close cooperation with State and local enforcement agencies, is essential for the effective enforcement of our Nation's narcotic laws. The implementation of the 1982 Federal Strategy fails to meet this objective. Over the last three years the status of DEA as our Nation's leading drug enforcement agency has been weakened by its reorganization within the FBI, the threat of significant budgetary reductions and the establishment of provisional task forces to combat the national narcotics threat. The Select Committee has heard testimony from around the country that, except for much publicized task force programs, the Federal narcotics enforcement effort is almost imperceptible and Federal cooperation with State and local narcotics enforcement personnel is not always guaranteed. What is needed to remedy this situation is a DEA which is adequately staffed, sufficiently financed, and effectively programmed to carry out a national enforcement program that not only concentrates on the disruption of large-scale trafficking organizations but also absorbs its share of the national narcotics caseload along with State and local jurisdictions.

The Federal Government must become a better fiscal partner with State and local government in narcotics law enforcement. The 1982 Federal Strategy calls for the bringing "to bear the full range of Federal, State, and local government resources against illicit drugs and illegal activities associated with the organization or conspiracy behind drug trafficking." Fiscal realities have made this policy goal unattainable. The scarce criminal justice resources that exist at the local and State level cannot possibly contain the stag-

gering burden that drug and drug-related crimes place on their system. State and local enforcement personnel have told this committee time and time again that in addition to improved cooperation with Federal enforcement agencies, they are in dire need of manpower, equipment, and most of all, direct financial assistance. The enforcement goal of the Federal Strategy will have little meaning unless the Federal Government recognizes its concomitant fiscal responsibilities.

d. Treatment, prevention and education

The 1982 Federal Strategy woefully fails in this critical area. Budgetary reductions through the Alcohol, Drug Abuse and Mental Health Block Grant (Public Law 97-35), as well as the abandonment by the Federal Government of an activist role in drug abuse treatment and prevention activities, has demoralized the drug abuse treatment and prevention community.

The Select Committee heard sharp criticism of Federal "demand reduction policies" from drug abuse professionals around the country. Their criticism focused not only on the reductions in Federal fiscal support to their programs but also their perception of Federal "benign neglect" of drug abuse treatment and prevention. They critized the Federal Strategy for relying on State, voluntary, and private support of treatment and prevention programs in lieu of Federal assistance. Although the strategy called for increased law enforcement efforts, the treatment and prevention communities, those who attend to those who have fallen into the net of drug use and addiciton, have received no increased assistance. Worse, their existing support has been reduced. While the Select Committee has no quarrel with a policy that is concerned with stopping the supplies of illicit drugs entering and being distributed in the United States, we cannot ignore those who are affected by those supplies.

A survey of State alcohol and drug abuse directors conducted by the National Association of State Alcohol and Drug Abuse directors (NASADAD) found that over 94 percent of the States responding reported an unmet need for treatment and prevention services. NASADAD concluded that even if States can maintain current service levels there are still thousands of individuals who need and could benefit from some type of prevention and treatment services. The 1982 Federal Strategy does not account for this demand because it is based on two flawed assumptions. First, the shortage in funds caused by the abrupt reduction in the level of Federal contribution to treatment and prevention programs would be assumed by State and local government, with aid from the private sector; second, serious drug abuse is decreasing. The Select Committee's hearings and examinations of the Federal Strategy found that neither assumption has proven to be correct.

The success of any Federal Strategy to combat drug abuse must challenge all aspects of this bedeviling problem. We must not ignore the need for a strong drug abuse treatment and prevention system to complement our enforcement efforts. How much easier our illicit drug supply containment efforts would be if the demand for illegal drug use within this Nation was contained. Implementation of the 1982 Federal Strategy would seem not to appreciate this fact.

B. International Activities

1. STUDY MISSION TO LATIN AMERICA AND JAMAICA—AUGUST 6-21, 1983

The Select Committee on Narcotics Abuse and Control completed a two week study mission to Latin America and Jamaica from August 6 to 21, 1983, to inspect drug production and trafficking patterns and efforts to control the problem.

This part of the world is extremely important to any solution of the drug epidemic in the United States, because all of the cocaine and 80 percent of the marihuana reaching our streets come from there.

The study mission consisted of nine Members of Congress. Members of the Select Committee on Narcotics Abuse and Control who participated in the mission were: Chairman Charles B. Rangel of New York, Ranking Minority Member Benjamin A. Gilman of New York, and Representatives Cardiss Collins of Illinois, Frank J. Guarini of New Jersey, Edolphus "Ed" Towns of New York, Tom Lewis of Florida, and William J. Hughes of New Jersey who also participated in his capacity as Chairman of the House Judiciary Subcommittee on Crime. Harold S. Sawyer of Michigan, the Ranking Minority Member of the Subcommittee on Crime of the Judiciary Committee, and Julian C. Dixon of California, a Member of the Committee on Appropriations, also participated.

The group visited five countries: Mexico, Peru, Bolivia, Colombia, and Jamaica; and met with the heads of state of four of those nations in addition to meeting with the concerned Cabinet Ministers and law enforcement leaders of each government.

They participated in helicopter on-site inspections of marihuana and coca cultivation, and additionally in Peru visited a raided coca paste processing facility. In Mexico they witnessed the fumigation of a marihuana field and landed in a large complex of several fields which were subsequently destroyed after inspection. Also in Mexico, they were shown numerous plots being planted with opium poppy which have been targeted for eradication when the crop matured.

The Committee found that Mexico was the only country where the government recognized its obligation to detect and eradicate the illicit cultivation of narcotic crops in its territory and demonstrated a national will and commitment to eliminate that cultivation.

By fumigating these crops with herbicide spray applied by helicopters, since 1975 Mexico has been successful in virtually eliminating marihuana production and has substantially reduced opium cultivation to where it is now responsible for one-third of the heroin entering the United States as opposed to three-quarters in 1975 when it recognized that the production of the opium poppy and marihuana had outstripped its manual eradication program.

On August 8, the delegation called on Mexican Attorney General Garcia Ramirez, where discussions centered on what improvements might be made in the Mexican eradication program to curtail narcotic crop cultivation, particularly opium poppy. There was agreement that additional and more advanced equipment to detect, fu-

migate, and verify results is needed in the Mexican aerial eradication program to further reduce heroin traffic to the United States.

Additionally, the delegation felt a need for the speedy return to an effective joint program by DEA and the Mexican Judicial Police to prosecute major drug suppliers in Mexico on the basis of evidence and testimony developed in the United States by DEA.

The talks in Mexico had to do with strengthening and intensifying our joint efforts to continue progress against the production and traffic of narcotic drugs affecting our two countries. The effort by the Mexicans to date has already been enormously effective.

The field trips in Mexico were led by Special Assistant Attorneys General Carlos Madrazo and Jesus Antonio Sam Lopez who directed the aerial eradication force which consists of 46 heliciopters and 21 fixed-wing aircraft. The visit with the Mexican Attorney General's aerial crop eradication program convinced the delegation that when a country recognizes its obligation under the Single Convention on Narcotic Drugs of 1961 to eradicate illicit narcotic crops and has the national will and pride to do so, the problem of the traffic and abuse of drugs can be brought under control.

The Mexican Government, starting at point zero in late 1975, has built the world's finest aerial crop eradication program. Its size, professionalism, competence, performance, and experience make it the world leader in this technique, which the Select Committee regards as an absolute essential to destroying illicit opium poppy, coca, and marihuana cultivation. The work of the Mexican Government has been an enormous benefit to the people of the United States. As always, Mexico has been our "Good Neighbor."

The Committee arrived in Lima, Peru on August 9, and commenced discussions with Cabinet level officials and law enforcement leaders culminating with a meeting with President Fernando Belaude Terry on August 10.

The delegation made a field visit to Tingo Maria on August 11 where they inspected coca cultivation. They visited a facility raided earlier in the day that converted coca leaves to coca paste, used for making cocaine. They inspected a pilot project experiment by the government to eradicate the coca bush through a combination of cutting down and hand spraying herbicide.

The delegation found from their overflights that the illicit cultivation of coca in the Tingo Maria area of Peru was increasing at an alarming rate. New areas were being cut out of the jungle and burned to grow coca. This slash and burn type of agriculture is destroying vast sections of the land.

Historically, Peru has been the only traditional producer of coca for legitimate purposes. At present 14 thousand metric tons of coca are allegedly needed for coca chewing by the native Indian population of Peru and for legitimate export purposes.

An additional 36 thousand metric tons of coca are grown illegally in the Cuzco and the Tingo Maria area of the Upper Huallaga Valley of Peru. Most of this illicit cultivation began about 1977 and it continues unchecked.

The delegation was told that the severe economic recession and a combination of disastrous droughts and floods has drained the country's resources so greatly that it cannot organize and support the forces needed to effectively destroy the illicit cultivation and

suppress the illicit manufacture and traffic of coca paste and cocaine.

The delegation found that while the Government of Peru seemed to understand its responsibility to suppress the illicit manufacture and traffic of coca paste and cocaine, it has failed to understand its obligation under the Single Convention on Narcotic Drugs of 1961 to effectively license and control legal production, prevent illegal cultivation and uproot any illicit wild cultivation found in its territory.

The study mission suggested to the Peruvians that on the basis of its previous experience with similar situations and based on expert opinion, that if it would develop a plan to progressively phase out illicit coca production, it was certain development assistance would be forthcoming from the United States, several other countries, and international organizations.

The delegation assigns the highest priority and greatest urgency to the Government of Peru in developing a plan to progressively phase out illicit coca cultivation and to vigorously suppress the illicit manufacture and traffic of cocaine in its territory.

Further, Peru should seek technical and financial support from the community of nations and international organizations to implement its program to end the uncontrolled production, manufacture, and traffic of coca and cocaine in the country, now so disastrously affecting most nations of the world.

The delegation arrived in Bolivia on Friday, August 12, and held a series of discussions on the problem with the uncontrolled production of coca and the illicit manufacture and traffic of coca paste centered in that country. Meetings were held with Foreign Minister Tamayo, Minister of Interior Roncal, Director Otazo of the President's Advisory Committee on Narcotics, and Police Commanding General Teran. Meetings were also held with a delegation of the Bolivian Senate under its President Julio Garret and with the Chamber of Deputies under its President Gualberto Claure. A result of this was a suggestion by the Bolivian legislators that an "Interparliamentary Commission" be formed between those bodies and the U.S. Congress to address our mutual problem with the production and traffic of coca substances. This proposal was very favorably received by the delegation, and is expected to be acted upon.

The culmination of the delegation's visit to Bolivia was a meeting with President Hernan Siles Zuazo. The delegation found that Bolivia now produces about 55 thousand metric tons of coca annually; that about 44 thousand tons are illicitly cultivated and 11,000 are for domestic coca chewing and legitimate export purposes.

Enormous quantities of coca leaf and coca paste are smuggled from Bolivia to Colombia for conversion to cocaine, and then smuggled to the United States and worldwide.

The Bolivian officials with whom the delegation met, including the President, recognized that since about 1977 the traditional cultivation of coca, which averaged about 10,000 tons, had dramatically escalated out of control, increasing 75 percent from 1977 to 1981 and is still increasing.

The Bolivian officials said that the political instability caused by the constantly changing governments has led to this situation. The

return to a democratic government under President Siles, it was hoped, would produce the stability needed to make a start in bringing this situation under control.

An important first step in this direction was reached on the eve of the delegation's arrival at La Paz. On August 11, the United States Ambassador Edwin G. Corr signed a series of four agreements, with the Government of Bolivia that had been under negotiation since 1976. Two of the agreements have to do with providing assistance to reduce coca production to legal requirements, and for controlling that production. The other two agreements pertain to providing assistance for drug enforcement to reduce and restrict coca production to legal requirements and suppress illicit manufacture and trafficking.

If political stability can be maintained in Bolivia, and if the government develops these agreements in good faith, a start will be made in bringing the production and illicit traffic in coca products under control.

Meanwhile, as in Peru, the illicit production of coca leaf and the illicit manufacture and traffic of coca paste continues to increase. Powerful "Mafia-like" figures have emerged to influence and threaten the government in the sectors of the country where the production and traffic takes place. They assume "warlord-like dimensions" over their areas of influence in which the Bolivian military and police forces are powerless. Severe economic recession trends and severe flood and drought conditions this year have also weakened the country's ability to address the coca problem. However, a dedicated implementation of the four narcotic assistance agreements made with the United States on August 11 to reduce coca production to legal requirements, and to enforce the laws against illicit manufacture and traffic, could within a few years bring the coca problem in Bolivia under control.

The delegation arrived in Bogota, Colombia, on Sunday, August 14. On the following day one group traveled to San Jose del Guaviare, where they boarded helicopters for overflight inspections of illicit coca production in the Llanos region. This is a new activity that has developed in Colombia during the past few years, it is now significant and is increasing at an alarming rate. The delegation saw vast areas of forest lands slashed and burned to cultivate coca. They saw thousands of acres under cultivation with high grade coca. The regions of the country where coca is grown are newly developed and populated. They include the Eastern Llanos and the southern States of Cauca, Putumayo and Narino.

Coca production is now estimated at 15,000 tons annually, with the certainty that, if unchecked, it will outstrip Peru and Bolivia. Coca is a nontraditional crop in Colombia and its production is totally illegal. The delegation was impressed by the vigor and courage of the Special Anti-Narcotic Units of the Colombian National Police who make a heroic effort to manually eradicate this coca production. They have neither the manpower, equipment, nor funding necessary to be effective. Only the application of the most modern helicopter aerial-spray fumigation technique would make it possible to eradicate the constantly expanding coca production in Colombia.

A second group of the delegation proceeded, by air, to Valledupar in the North Coast region where marihuana cultivation is extensive in the States of La Guajira, Cesar, and Magdalena. They learned that growers were shifting their cultivation from La Guajira to Cesar and Magdalena because their slash and burn technique has already exhausted the soil in much of the Guajira. The delegation inspected three large canyons where marihuana cultivation was almost total, with plots ranging from one quarter hectare to several hectares. The delegation saw in this one section an estimated 15,000 hectares of marihuana being grown. New plots were being prepared, and some were abandoned and the land eroding. The group landed at a base camp set up by the Colombian National Police for field units that climbed up to the fields to cut and burn the marihuana.

The extent of this cultivation, the delegation was told, had far surpassed the ability of the national police manual eradication team, but concluded they could not physically accomplish their mission. On the other hand, this huge concentration of marihuana could be eradicated in a few days by helicopter spray fumigation techniques.

On August 16, the delegation began a series of separate meetings with Colombian Government officials, including Director General Delgado of the National Police; President of the Bank of the Republic, Hugo Palacios Mejia; Attorney General Carlos Jiminez Gomez; President of the Senate, Carlos Holguin Sardi; President of the Chamber of Representatives, Cesar Gaviria; Minister of Justice, Rodrigo Lara Bonilla; Health Minister, Jaime Arias Ramirez; the Colombian Ambassador to the United States, Alvardo Gomez Hurtado; and Foreign Minister Rodrigo Lloreda, which culminated in a visit with President Belisario Betancur.

The delegation learned that while the Government of Colombia recognized its responsibility to suppress the enormous illicit manufacture of cocaine in the country, it had not assigned the manpower, equipment and operating funds necessary to address the problem known to exist.

It also became apparent that from 1973 to date, a small marihuana cultivation in the Guajira region for domestic consumption grew to enormous proportions for international trafficking due to the government's failure to develop a timely eradication program. While the Colombian Government was being pressed to begin eradicating this marihuana cultivation, an entirely new production of coca began in the Llanos and the Southern States of the country.

The delegation perceived that the government of Colombia does not seem to clearly grasp its responsibilities under the Single Convention on Narcotic Drugs of 1961, which it has ratified, and which 157 other countries have ratified, to eradicate any illicit cultivation of marihuana and coca existing in its territory.

It has failed totally to do so by manual means, permitting it to increase to huge proportions. Now the only means of effectively bringing this illicit cultivation under control is by using helicopter aerial spraying. For several years now, Colombia has debated the health and environmental liabilities of this technique. Experts state the Colombian arguments are not scientifically correct. Additionally, almost all the marihuana and all the coca is produced in

remote areas on national land. Ironically, the growers of marihuana and coca are destroying the ecology by their slash and burn agriculture, and human life by the drugs that are produced.

Chairman Rangel and the delegation urged the Colombian Government to urgently consider how it might use the herbicide spray technique, and said they would not urge any use of a chemical in Colombia that was not already being used in the United States. As is known, Colombia is a major agricultural country. It also uses "Paraquat" extensively for weed control in its legal agricultural sector, particularly on coffee. The delegation has difficulty accepting why it is reluctant to use it against marihuana in remote sectors of the country.

Representative Lewis (R-Fla.) a member of the delegation invited several Colombian officials to visit Florida to witness the aerial spraying of crops with herbicide.

A commission in Colombia is now studying the issue and was expected to visit Mexico, in addition to Florida, Georgia and several other States to learn of the results of the application of Paraquat against marihuana in the United States.

The interest of the Bolivian Senate and Chamber of Deputies to form an Interparliamentary Commission to consider our mutual problem with the production and illicit traffic of coca and cocaine was described to members of the Colombian Senate and Chamber of Representatives. The Colombian legislators indicated an interest in this initiative.

Late on Wednesday, August 17, the delegation arrived at Cartagena. On August 18, they had an extensive briefing by the DEA Special Agent-in-Charge at Baranquilla on the maritime and air traffic in marihuana and cocaine from the North Coast of Colombia to the United States. There is no evidence of any diminution of this traffic; the production of marihuana and cocaine is huge and is still thought to be increasing. The price of coca and cocaine is falling, due to extremely heavy production and availability in Peru, Bolivia and Colombia. Colombian marihuana is available in unlimited quantities, is of high quality, and is at a price significantly below the price of the Mexican, Jamaican and Belize products.

On August 18, the delegation visited the Colombian Naval Base at Cartagena where they inspected two 105-foot patrol boats provided by the United States to combat the smuggling by maritime vessels of marihuana and cocaine from the North Coast of Colombia to the United States. One vessel, the C.N. Rafael De Castillio y Rada, was assigned to the Navy and the other vessel, the Olaya Herrera, was assigned to the Customs-Coast Guard.

The delegation was disappointed with the inability of the Government of Colombia to more effectively prevent the massive smuggling of marihuana and cocaine from its North Coast to the United States by sea and air. Particularly disappointment was expressed by members with the performance of the two patrol boats, especially the Navy boat. The Customs boat made a fair amount of seizures and over 200 arrests. However, only four defendants were convicted and all of them subsequently escaped.

The delegation concluded that the foundation of any program in Colombia to bring under control the illicit production, manufacture, and traffic of drugs would be the herbicide aerial fumigation

spraying of those crops while simultaneously assigning the manpower, equipment and resources to effectively strike at the enormous illicit manufacture of cocaine from Peruvian and Bolivian raw materials. The delegation expressed a desire to support increased enforcement assistance for Colombia if it moved in that direction.

The delegation arrived in Jamaica in the late afternoon of Thursday, August 19. On the morning of August 19, the delegation met with Prime Minister Edward Seaga of Jamaica; Deputy Prime Minister and Minister of Foreign Affairs, Hugh Shearer; the Jamaican Ambassador to the United States, Keith Johnson; Commander of the Jamaican Defense Force, Major General Robert Neish; and Commissioner Joe Williams of the Jamaican Constabulary Force.

The Prime Minister outlined a strategy that would indirectly address the problem of the heavy cultivation of cannabis in Jamaica by "choking off" through enforcement, all other elements of the network necessary to move supply from grower to consumer. Unable to move or sell their crop, the Prime Minister thought growers would eventually stop, and begin growing marketable crops that the government would suggest in place of marihuana. This, in effect, was a restatement of the strategy followed by the Government of Jamaica with no success since the late 1960's.

Chairman Rangel said the delegation was pleased to learn of Prime Minister Seaga's effort to increase the enforcement efforts of his government to prevent the smuggling of marihuana from Jamaica, but expressed its concerns that unless a program was simultaneously developed to progressively eradicate the illicit marihuana cultivation, the other enforcement measures planned would prove futile.

Later, on the same day, on helicopter overflights, the delegation observed great numbers of fields cultivated in high quality marihuana. The perception was that marihuana cultivation is increasing as new irrigated lands in a vast reclaimed swamp area of the Negril and Brumdec regions are being turned into very high quality marihuana cultivation.

Information obtained, indicated production of marihuana in Jamaica is thought to be about 2,100 metric tons. Much of it is consumed in that country, but substantial quantities are smuggled to the United States and represent about 10 percent of the marihuana consumed in our country.

The Jamaican authorities cooperate with the DEA in the development of seizures of marihuana and cocaine and investigations affecting the United States, but the root of the problem is the failure of the government to eliminate the cultivation of marihuana contrary to its obligations under the Single Convention on Narcotic Drugs of 1961.

The delegation found that, notwithstanding a difference of opinion on how the illicit production of marihuana in Jamaica should be gradually eliminated, the objective of the Government of Jamaica was clearly to see this production ended in accordance with its obligation under the Single Convention on Narcotic Drugs of 1961.

The delegation is very hopeful that the Government of Jamaica will develop a plan which would provide for the progressive elimination of marihuana cultivation while simultaneously intensifying

drug enforcement and smuggling prevention measures. Further, it is hoped that the United States Government could provide economic and technical assistance in support of the Jamaican Government narcotic control program.

Based upon its hearings, field investigations, and discussions with government leaders in the United States and abroad, the Select Committee has every reason to believe that the production of narcotic and psychotropic drugs is increasing, rather than decreasing. Current estimates on the production of marihuana, cocaine, and heroin are derived from 1981 data.

This is impractical because planning and programs in 1983 are being based on 1981 data which is no longer relevant. There is no reason why data, especially estimates, can not be kept current on a monthly basis.

There is an urgent need to improve the collection and delivery of reliable statistical information pertaining to the production, trafficking, and consumption of illicit drugs. This information is critical to formulating a sound narcotics prevention and control strategy.

a. The Select Committee recommends that our State Department, the DEA, and other drug-related agencies, in consultation and cooperation with the drug producing countries and the concerned international organizations, work in concert to maintain reliable data on a monthly basis, in the area of illicit narcotic crops that are cultivated and eradicated worldwide.

b. The Select Committee urges the governments of Mexico, Peru, Bolivia, Colombia, and Jamaica as part of the plan they develop to gradually eliminate drug production, include a plan that would develop systematic aerial surveys of the illicit narcotic crop cultivation within their territory and that the United States assist governments develop this capability.

2. THE RANGEL-GILMAN-ZABLOCKI AMENDMENT

The Rangel-Gilman-Zablocki Amendment, authorizing the President to suspend economic and military assistance to any nation that fails to take adequate steps to prevent illicit drugs from entering the United States, passed the House Foreign Affairs Committee as part of H.R. 2992, the International Security Development Act of 1983.

In determining whether a nation has failed to take "adequate steps" to prevent controlled substances from being smuggled into the United States, the President must consider the efforts being made by a nation receiving U.S. assistance to meet its obligations under international law, including law enforcement measures to eliminate the illicit cultivations, manufacture and trafficking in controlled substances. Such nations must be committed to a plan (including its implementation) to control the production and distribution of illicit drugs, and the President is required annually to transmit to the Congress a detailed report describing the policies adopted, agreements concluded, and programs implemented by the State Department pursuant to its delegated responsibilities for international narcotics control. The report must also include plans,

programs, and timetables adopted by nations receiving our assistance and the accomplishments achieved by those nations.

Senator Paula Hawkins introduced a version of this amendment that would also authorize the President to determine the maximum reductions of illicit drug production in any nation receiving U.S. assistance and would require consultations with Members of the House Foreign Affairs Committee and the Senate Foreign Relations Committee. Senator Hawkins' proposal amended H.R. 2915, the State Department Authorization Act for fiscal year 1984–85. Members of the Select Committee worked with Senator Hawkins to obtain a compromise measure that resulted in the conference report passing the House on November 17, 1983, by a vote of 254–146. The President signed this legislation into law (Public Law 98–164) on November 22, 1983.

During the first session of the 98th Congress, the International Security and Development Cooperation Act of 1983 was not brought to the floor of the House for its consideration.

3. MEETINGS WITH FOREIGN DELEGATIONS

In 1983 the Select Committee on Narcotics Abuse and Control held a series of meetings with representatives of foreign nations and one meeting with a U.S. ambassador. The purpose of these meetings was to keep abreast of current developments relating to foreign narcotics production and control efforts; to express the concern of the Congress that production and importation of illegal drugs be curtailed; to assess the level of substance abuse in other nations; and to inform these foreign visitors of American efforts, both domestically and internationally, to stop cultivation, manufacture, distribution, sale and abuse of illegal drugs. Members of the Select Committee met with officials from Colombia three times, Sweden twice, and Italy, Mexico, Pakistan, Yugoslavia and Bolivia once each. On October 18, 1983, Members of the Select Committee met with Mr. Lev Dobriansky, U.S. Ambassador to the Bahamas, to hold a confidential discussion on drug smuggling through the Bahamas and allegations of Bahamian Government complicity in this activity.

Italy

On March 16, 1983 Dr. Francesco Spinelli, Under Secretary, Ministry of the Interior, meeting with the Select Committee reaffirmed Italian support for the gradual elimination of illicit narcotics crop production as the best means of bringing about a long-term curtailment of drug abuse worldwide. He pledged that Italian authorities would continue to cooperate with other nations toward this objective. Dr. Spinelli estimated the Italian addict population at about 100,000. He put the value of the illicit drug trade in Italy at about $10 billion a year. Among alarming trends, he pointed to the younger age of many addicts and the spread of drug abuse to smaller towns.

Colombia

The meetings with the Colombian officials occurred on March 23, 1983, June 28, 1983, and October 4, 1983. On March 23, Chairman

Charles B. Rangel told Dr. Juan Antonio Gomez, Secretary General of the Colombian National Academy of Medicine, and the other members of his party that the American people don't believe Congress is acting fast enough on the drug problem, so legislation is being introduced to test the degree of cooperation by foreign countries with U.S. enforcement efforts. Dr. Gomez deplored what he called the erroneous and dangerous opinion in America that Colombia is doing nothing to stop illegal traffic in cocaine and marihuana. Mr. Rangel said the Committee's mission was not to place blame but to determine what needs to be done to reduce Colombian drug production targeted at our country.

On June 28, Committee Members again stressed to a four person Colombian delegation that need for the U.S. and Colombia to cooperate in eliminating cocaine and marihuana traffic from Colombia to the U.S. The Colombian delegation was composed of Senator Hugo Escobar Sierra, President of the Conservative Party Directorate of the Colombian Senate; Ms. Nazly Lozano Eljure, Vice-Minister of Justice and President of the National Council on Dangerous Drugs; Senator Alfonso Ortiz Bautista, who is a medical doctor, and Senator Frederico Estrada Velez. The Colombians said a commission is examining the safety of using herbicides applied by aerial spraying in their anti-drug program, and a decision should be forthcoming soon.

On October 4, Members of the Select Committee met with Dr. Jaime Acre of the Colombian Ministry of Agriculture and other members of a technical group who are responsible for reviewing narcotics policy in Colombia. The substance of this meeting was similar to previous meetings between the Members of the Select Committee and the Colombians. They indicated that aerial application of herbicides was still being studied by the Colombian Government. The Colombian visitors indicated that narcotics production, while declining in 1982, was up again this year and that the possibility of revising a Colombian statute which gives judges discretion to impose a sentence from 1 to 12 years for drug trafficking was being studied.

Sweden

On April 13, 1983 Members of the Select Committee met with Mr. Hans Holmer, Chairman of the Swedish Narcotic Board and with Mr. Sten Heckscher a member of that board. Chairman Rangel said there is inconsistency between the seriousness of the drug problem in the United States and the relatively weak efforts of our diplomats to control foreign sources of supply. He emphasized that it is difficult to get drug abuse on a sufficiently high international agenda to overcome the tendency of diplomats to avoid uncomfortable issues. He urged the Swedish vistors to work for international approaches to the problem. Commenting on the Swedish abuse problem, Mr. Holmer said there are 10,000–15,000 drug addicts in Sweden, most of whom use amphetamines or heroin. Mr. Heckscher cited bilateral agreements with various Asian source countries, but conceded that attempts at regional cooperation in Europe have lagged although they have potential.

On September 23, Members of the Select Committee on Narcotics met with the Swedish Parliament's Committee on Social Affairs.

The Swedes indicated they viewed the problem of narcotics as one of "international magnitude." They inquired as to our efforts to control addiction, and specifically about the legalization of marihuana. Mr. Rangel told the foreign visitors that at the same time that we have increased our efforts against narcotics, there has been more narcotics available. This was pointed out to be the case because of the uncontrolled production of narcotics in source nations. Mr. Rangel said there has been no Federal effort to decriminalize marihuana even though some States have adopted laws which make it illegal to sell but not to possess for personal use small quantities of marihuana.

Mexico

On May 5, at a meeting jointly hosted by the House Committee on Foreign Affairs and the House Select Committee on Narcotics, a group of Mexican officials involved in narcotics control said that the heroin and marihuana produced in Mexico were in response to American demand. The Mexican officials who attended the meeting were Mr. Jesus Llanez, Executive Assistant to the Attorney General of Mexico, Mr. Jesus Yanez and Mr. Jesus (Sam) Lopez, both Special Assistants to the Attorney General. The delegation indicated that paraquat had been used successfully to reduce the production of marihuana without ill effects on the Mexican population. Although the Drug Enforcement Administration reports that in recent months the quantity and purity of Mexican heroin has increased sharply, Mexico has a good record of cooperating with America to reduce narcotics production.

Pakistan

On July 26, Members of the Select Committee met with a delegation of Pakistani officials who are responsible for administering opium poppy eradication projects in the Northwest Frontier Province in Pakistan. Pakistan is the fourth largest producer of raw opium in the world.

The delegation from Pakistan consisted of Shamsher Ali Khan, Commissioner of the Malakand Division of the Northwest Frontier Province, and Chairman of the U.S. funded Malakand Area Development Project Committee; Amanullah Khan, Political Agent in the Malakand Agency and Project Coordinator for the U.S. funded Malakand Area Development Project; Ejaz Rahim, Additional Secretary, Planning and Development, Northwest Frontier Province; M. Toaha Qureshi, Director, Planning and Development, Pakistan Narcotics Control Board; and Syed Abbas Hussain Shah, Joint Secretary, Ministry of Interior. Questions from Members focused on Pakistan's efforts to eliminate cultivation of opium.

Yugoslavia

On September 14, Members of the Select Committee met with Mr. Ivan Trutin, Yugoslav Interpol Director and Velimir Cemerikic, Senior Inspector of the Yugoslavia Federal Secretariat for Internal Affairs. These gentlemen sought the assistance of the Select Committee in implementing a proposal from the Federal Customs Administration of Yugoslavia to the United Nations Fund for Drug Abuse Control (UNFDAC) that would strengthen Yugoslav customs

inspection facilities at two major border crossing points: Gradina, located at the Yugoslav/Bulgarian border, and Bogorodica, located on the Yugoslav/Greek border. On October 27, Chairman Rangel and Rep. Benjamin Gilman (R-NY), Ranking Minority Member of the Select Committee, wrote Mr. Dominick DiCarlo, Assistant Secretary of State for International Narcotics Matters, strongly endorsing the proposal to strengthen the Yugoslav customs facilities at Gradina and Bogorodica. It has subsequently been learned that UNFDAC is taking the necessary steps to financially support this Yugoslav narcotic project.

Bolivia

On November 16, 1983, the Select Committee met with a delegation of four members of the Bolivian Parliament to discuss the formation of a Bolivian-U.S. Interparliamentary Commission on narcotics control. Members of the delegation were two Bolivian Senators, Victor Andrade and Hector Ormachea, and two members of the Bolivian Chamber of Deputies, Lino Perez and Lindo Fernandez. The genesis of the idea for a joint Bolivian-U.S. interparliamentary group on narcotics control began during the Select Committee study mission to Bolivia and other Latin American nations in August, 1983.

In addition, Senator Andrade discussed a bill he recently introduced in the Bolivian Senate which would attempt to legitimize coca cultivation in traditional growing areas under a State monopoly and destroy any illicit or unneeded production. The members of the Select Committee viewed Senator Andrade's plan with uncertainty. In large measure the Andrade proposal requires Bolivia to perform functions that it is already required to do under the Single Convention on Narcotic Drugs of 1961. The Committee impressed upon the Bolivian group the need for vigilant law enforcement activities to combat illicit coca production.

The Select Committee looks forward to continued discussions with members of the Bolivian Parliament, as well legislators in other narcotics producing nations, as a means to impress upon national executives the need for effective narcotics control.

As a result of meetings with foreign delegations, Members of the Select Committee gained a better understanding of current international trends in the traffic and abuse of drugs and the need to eradicate the illicit cultivation and traffic of narcotics and psychotropic drugs. The Members of the Select Committee are convinced that worldwide eradication of narcotics and other illegal drugs in source countries offers the best long-term solution to stop illegal drug usage. Despite vigorous domestic drug interdiction and drug law enforcement efforts, however, no appreciable dent has been made in stopping illegal drug use in the United States. The retail value of illegal drugs consumed in the U.S. in 1983 is estimated to be $100 billion. This statistic only serves to highlight the urgent need to curtail drugs at their source. Some foreign nations are cooperating with the United States to limit illegal narcotics production, distribution, and usage, notably Mexico, and Italy. Cooperation by Colombia leaves much to be desired, whether because of a sincere reluctance to spray paraquat or not.

4. INTERNATIONAL NARCOTICS CONTROL TASK FORCE OF THE HOUSE FOREIGN AFFAIRS COMMITTEE

The House Foreign Affairs Committee established the Task Force on International Narcotics Control in June, 1983 for the purpose of making recommendations to the Foreign Affairs Committee on narcotics issues. The Task Force is chaired by Representative Edward Feighan of Ohio; two members on the Select Committee, Congressmen Benjamin Gilman and Lawrence Smith, are members of the Task Force.

The Select Committee worked with the Task Force on a series of hearings pertaining to drug trafficking in the Bahamas and alleged Bahamian complicity in large-scale trafficking operations into Florida. In addition, the Task Force was invited to and did participate in the Select Committee's hearing on drug trafficking through South Florida that was held in West Palm Beach on October 12–13, 1983.

On many international drug-related issues, the Narcotics Select Committee and the Foreign Affairs Task Force can work together to conduct hearings and investigations and recommend initiatives pertaining to our international narcotics control program.

5. MEETING OF THE UNITED NATIONS COMMISSION ON NARCOTIC DRUGS

The 30th session of the U.N. Commission on Narcotic Drugs (CND) was convened in Vienna, Austria on February 7–16, 1983. Congressman Gilman, Ranking Minority Member of the Select Committee, participated in drafting and presenting the United Nations statement on the international strategy and policies for drug abuse control. The statement, which included President Reagan's message to the delegates, reflected the United States' deep desire for increased international cooperation in preventing and controlling the drug problem and urged the adoption of a "comprehensive set of international policies and actions to vigorously attack the problems that illegal drugs bring to our societies."

Mr. Gilman urged the Commission to support the 1981 U.N. General Assembly resolution adopting a global drug strategy and to provide the necessary resources, personnel and funds to implement such a strategy. The international drug problem requires an international solution, and linking economic assistance to eradication efforts was suggested as an effective method to combat drug trafficking and drug abuse.

In 1982, only 42 nations or 13 percent of the 157 member nations of the United Nations contributed a paltry $6.5 million to the U.N. Fund for Drug Abuse Control (UNFDAC). Mr. Gilman criticized this meager contribution to the U.N. Drug Fund and urged other nations of the international community to intensify their efforts to combat drug trafficking and drug abuse by contributing to UNFDAC.

6. THE MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE—JUNE 7–10, 1983

The 23rd Mexico-United States Interparliamentary Conference was held in Puebla, Mexico on June 7–10, 1983. Congressman

Gilman addressed the conference on bilateral efforts to combat drug trafficking, and provided an update on international contributions to the United Nations Fund for Drug Abuse Control (UNFDAC).

Congressman Gilman joined the delegation, which was led by Representative de la Garza and Senator Charles Percy, and included Congressmen Yatron, Kazen, Kogovsek, Goodling, Bereuter, and Senators Randolph and Bingaman.

In his statement to the Conference, Mr. Gilman commended Mexico for its commitment to eradicating the opium poppy and marihuana but urged both Mexico and the United Nations to work harder towards a total elimination of narcotics crops. The international narcotics problem has worsened, and the urgency to resolve the issue, which is of grave concern to both nations, has become more immediate.

Mr. Gilman observed that of the $6.5 million contributed to the United Nations Fund for Drug Abuse Control (UNFDAC), the Latin American nations contributed only $26,000 to UNFDAC in 1982. He urged Mexico, a contributor to the UN Drug Fund, to take the lead in encouraging Latin American nations to contribute to the Fund.

He stated that the Select Committee would be visiting Mexico during the summer of 1983, and looked forward to working with Mexico's parliamentarians and executive branch officials in a cooperative effort to combat drug trafficking and drug abuse.

7. EMERGENCY AID TO PERU AND BOLIVIA

On June 14, 1983, Chairman Rangel wrote to President Reagan concerning a proposal by the Agency for International Development (AID) to provide $100 million for emergency aid to Peru, Bolivia and Equador to help offset an estimated $1.3 billion in damages due to floods and drought. Noting that much of the aid proposed would be for food, Mr. Rangel pointed out that the inability of the Bolivians and Peruvians to feed themselves in large measure stems from their own decision to cultivate the coca bush in lieu of foodstuffs.

Mr. Rangel observed that the governments of both Peru and Bolivia have "evaded" their narcotic treaty obligations to the world community to limit the production of coca to legal requirements and to uproot illicit cultivation. Encouraged by this lax attitude on the part of both governments, the Chairman stated that farmers in those nations have turned in large numbers to the unrestricted cultivation of the coca bush.

The Chairman informed the President that there is growing congressional sentiment to make foreign aid dependent upon a country's compliance with international narcotic control obligations, and pointed to the prior congressional enactment of the Rodino, Rangel and Gilman Amendments, as well as to the then pending Zablocki-Rangel-Gilman Amendment to the FY 1984 Foreign Assistance Act as evidence of that sentiment. Recognizing that food aid has traditionally been excepted from the legislative restrictions on aid to narcotics producing nations, Mr. Rangel suggested that

the proposed AID emergency food assistance be conditioned on the substitution of food crops for coca.

On July 13, 1983 Powell Moore, the Assistant Secretary of State for Legislative and Intergovernmental Affairs, responded to Mr. Rangel's letter on behalf of the President. Mr. Moore indicated that the Administration shared Chairman Rangel's concern about illicit narcotics production in Bolivia and Peru. However, it was the Administration's belief that the largest illicit coca growing areas in each country (the Upper Huallaga Valley in Peru and the Chapare region in Bolivia) have not been affected by drought, nor have they been historically important suppliers of foodstuffs for those areas of both nations that have been affected by the droughts and floods. The State Department also took the position that the people most directly affected by the recent natural disasters in Peru and Bolivia are subsistence farmers who do not grow coca.

Commenting on Mr. Rangel's proposal to condition any emergency food aid on coca removal, Mr. Moore wrote, "We do not advocate the conditioning of humanitarian aid on coca control measures when, if the countries fail to meet the condition, the burden would fall most heavily on those not involved in narcotics producing or trafficking."

The Select Committee does not advocate the denial of U.S. humanitarian aid to nations and individuals who are in need. However, the Committee believes that our government must become more aggressive and imaginative in our dealings with narcotics producing nations, particularly if such a nation is a recipient of U.S. assistance. For too long the nations of Bolivia and Peru have ignored their treaty obligations under the Single Convention on Narcotics Drugs of 1961 and have permitted the unchecked cultivation of illegal coca. The Select Committee believes that our foreign policy should prevail upon narcotics producing nations to recognize its narcotic treaty obligations and fully realize the effect that totally uncontrolled, and constantly increasing, narcotic production is having on the United States and other industrialized nations. The study mission to Latin America and Jamaica in August, 1983, established that in Peru in the 7 widely dispersed coca producing regions of the country and in the 7 major producing regions of Bolivia, there has been a widespread abandoning of food crop production since about 1977 in favor of increasing or starting up of coca production. Overall, this is significantly reducing food crop production in both countries.

C. Activities in Support of Legislative Initiatives

1. AVIATION DRUG TRAFFICKING CONTROL ACT—H.R. 1580

On April 27, 1983, Chairman Rangel submitted testimony to the Subcommittee on Aviation of the Committee of Public Works and Transportation in support of H.R. 1580, the Aviation Drug Trafficking Control Act. This measure was introducted by Aviation Subcommittee Chairman Norman Y. Mineta on February 22, 1983 in an effort to bolster the capability of the Federal Aviation Administration (FAA) to sanction civil aviators and civil aircraft operators who traffic in narcotics and other illegal drugs.

H.R. 1580, by utilizing FAA's existing regulatory mandate to secure air safety and its disciplinary authority over aviators, substantially increases the penalties the FAA can impose on aviators and operators who traffic in narcotics. Existing Federal aviation penalties are woefully inadequate to provide a deterrent against using the airways for the transportation of illegal drugs. Presently, an airman who operates a civil aircraft with the knowledge that illicit drugs are being carried on the aircraft, or an aviator who is convicted of violating a Federal or State statute relating to the dealing or trafficking in narcotics or other drugs, simply becomes ineligible for any air certification or rating issued by the FAA for a period of one year. These sanctions, while complementing the Federal drug penal statutes in Title 21 and Title 18, are not sufficient to discourage civil aviators from risking their pilot certifications by engaging in drug trafficking.

H.R. 1580 significantly increases penalties that can be imposed on drug trafficking airmen. It would require the FAA Administrator to revoke an airman's certificate, for a period of five years if the airman is convicted of a drug violaltion (other than simple possession) and the Administrator determines that the violator knowingly served as an airman in connection with the violation. Similarly, an air certificate must be revoked for five years if the Administrator determines that an individual served as an aviator in violation of the narcotics laws (other than simple possession) whether or not there is a conviction. In both cases of revocation, the due process rights of the airman are protected, and the certificate could be reissued after one year if the longer original penalty was found to be excessive or not in the public interest.

In addition, the bill also creates a new penalty of a five year prison sentence and a $25,000 fine for any person who knowingly acts as an airman without air certification in connection with a violation of the controlled substances laws. Present law subjects a person who operates an aircraft without a certificate only to a fine of $1,000 whether drug trafficking is involved or not. Further, H.R. 1580 also extends the period of time an aircraft's registration can be revoked if its owner permits it to transport controlled substances illegally, and the bill increases the penalties for using false or fraudulent air certificates in connection with a drug violation.

In his statement Mr. Rangel observed that the intent of the bill was not to make a drug enforcement agency out of the FAA. However, he noted that enhancing the drug-related penalty scheme contained in the aviation laws not only would serve as an additional deterrent to would be violators, but, "can greatly assist the Drug Enforcement Administration (DEA) and the Customs Service by denying the privilege of flying and operating aircraft to individuals who traffic in narcotics." Mr. Rangel also pointed out that the potential role played by the FAA in assisting DEA and the Customs Service is of growing importance. For example, 41 percent of all cocaine, some 40,000 pounds and approximately $13 billion in street value is smuggled across American borders in private aircraft. Recognition of FAA's growing role is evidenced by that agency's membership on the coordinating board of the National Narcotics Border Interdiction System (NNBIS). The information that the FAA can

gather through its regulatory enforcement process can greatly assist those agencies responsible for narcotics interdiction.

Congressman Ed Towns, who is a member of the Aviation Subcommittee as well as the Select Committee, actively participated in the April 27, 1983 hearing on H.R. 1580. Mr. Towns voiced his strong support for the bill and urged the Executive Branch to use legislative vehicles such as H.R. 1580 to begin closer cooperation between all the agencies involved in drug enforcement.

Ten members of the Select Committee on Narcotics have co-sponsored H.R. 1580, which was marked-up by the Aviation Subcommittee on July 14, 1983 and sent to the full Public Works Committee. Similar legislation has been introduced in the Senate, S. 1146, which was passed by that chamber on September 15, 1983 and referred to the House on September 28, 1983. The Select Committee will urge prompt action by the House on an aviation narcotics control measure during the second session of the 98th Congress.

2. CUSTOMS FUNDING, FISCAL YEAR 1984

The President's budget for fiscal year 1984 requested an additional 225 positions for the U.S. Customs Service to support Customs' participation in the President's Organized Crime Drug Enforcement (OCDE) task forces. More than offsetting this increase, however, the budget also proposed to eliminate 2,000 positions in Customs. Nearly half of these positions were to be cut from Customs' force of inspectors and patrol officers who comprise the front line of Customs' narcotics enforcement team. A 20 percent reduction in the number of inspectors, or 820 positions, was proposed as well as a cut of nearly 100 patrol officers, an eight percent reduction from current staff.

In March, Chairman Rangel wrote to Chairman Gibbons of the Ways and Means Trade Subcommittee and Chairman Roybal of the Treasury Appropriations Subcommittee opposing the Administration's cuts in the Customs budget. Citing the vital role Customs plays in our efforts to stem the flow of illicit narcotics and other dangerous drugs into our Nation, Mr. Rangel urged the two subcommittees to restore funding for the positions proposed for elimination in the President's budget. He argued that Customs' enforcement effectiveness would be severely impaired if the agency was forced to make the proposed cutbacks. He pointed out that in fiscal year 1982 Customs inspectors had made 73 percent of all Customs narcotics seizures. Moreover, he noted that the concentrated drug law enforcement operations in South Florida during the past year had forced traffickers to alter their drug smuggling routes, increasing the narcotics threat in other parts of the country. Thus, he said it was critical to maintain, not reduce Customs' enforcement presence in all threatened areas.

Chairman Rangel also supported the requested increase of 225 positions for the OCDE task forces. He said these new resources were urgently needed to investigate large-scale trafficking organizations but should not be added at the expense of reducing Customs' drug law enforcement efforts through normal inspection and control activities as proposed in the Administration's 1984 budget.

The Customs authorization bill passed by the House in May (H.R. 2602) not only restored the 2,000 positions proposed for elimination and approved the request for 225 new OCDE task positions, but also authorized an additional 650 positions, including 450 Customs inspectors and 50 patrol officers to beef up drug law enforcement. The Treasury appropriation bill passed by the House in October (H.R. 4139) restored funding for the 2,000 threatened positions and included funds for the requested OCDE task force positions. It did not include funds for the 650 new positions approved in the authorization bill. Because Congress did not complete action on the Treasury appropriation bill prior to adjournment, Customs is currently funded under Public Law 98-151, the continuing resolution for fiscal year 1984. The level provided in Public Law 98-151 is sufficient to restore 1,600 of the 2,000 positions proposed for elimination. The Select Committee will continue to monitor the Customs funding situation to determine the effect of the continuing resolution on Customs' narcotics interdiction efforts.

3. ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH BLOCK GRANT FUNDING, FISCAL YEAR 1984

The Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35, sections 1911-1920) consolidated Federal funds for alcohol, drug abuse and mental health services into a new ADMS block grant which replaced categorical grants through which Federal support for these services had been provided in the past. Effective beginning with fiscal year 1982, the shift to the block grant represented a major change in the way Federal assistance was provided for services to deal with these three public health problems. First year funding for the block grant was $432 million, 20-30 percent below expenditures in the two prior fiscal years for programs replaced by the block grant. For fiscal year 1983, Congress added $37 million to the President's request of $432 million for the block grant.

The President's budget for 1984 requested $430 million for the ADMS block grant. In late April 1983, Chairman Rangel wrote to Congressman Natcher, Chairman of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, expressing concern that the Administration's policy of level funding for the block grant, coupled with the initial cuts in funds available under the predecessor categorical programs, was creating serious drug treatment shortages at a time when drug abuse and the need for treatment services was growing. Citing rapid increases in heroin and cocaine use in New York and data linking drug abuse and addiction to increased crime and other social costs, Mr. Rangel said a strong national commitment to effective treatment services was needed to reduce the incidence of drug abuse and lessen its impact on our society. He urged the subcommittee to recommend appropriation of the full $532 million authorized for the ADMS block grant for fiscal year 1984.

In September, after hearing that the Appropriations Subcommittee planned to recommend a 1984 funding level of $439 million for the ADMS block grant, Mr. Rangel again wrote Chairman Natcher. He enclosed copies of letters from numerous treatment programs in the metropolitan New York and Long Island area whose capacity

to care for an expanding number of drug abusers had been substantially diminished by Federal budget cuts for drug services. He also forwarded the statements of State drug abuse program administrators from Connecticut, New Jersey and New York who testified at the Select Committee's June hearing in New York City on drug treatment and prevention. The letter briefly recounted their grim testimony about the widening gap between the demand for drug treatment and the availability of these services caused by Federal budget cutbacks. New Jersey had lost $4.2 million in Federal support for drug treatment over the past 2½ years, representing about 24 percent of the State's treatment and rehabilitation effort. Treatment capacity in New Jersey had dropped from 21,000 to 15,000 clients a year. Federal funds for New York and Connecticut dropped 32 percent and 28 percent, respectively, in the first year of the ADMS block grant, while abuse of heroin and cocaine had escalated dramatically. Treatment programs in both States were operating at or above 100 percent capacity and had extensive waiting lists. Richard Russo, Assistant Commissioner for Alcohol, Narcotic and Drug Abuse in the New Jersey State Department of Health, testified that the abrupt reduction in the Federal contribution to drug abuse services under the ADMS block grant was tantamount to a "simple abandonment by the Federal Government of the prevention and treatment field." In light of the evidence the Select Committee had gathered on the serious consequences of budget cuts on drug abuse services, Mr. Rangel asked the subcommittee to reconsider its funding recommendation for the block grant. He again urged them to support appropriation of the full amount authorized for 1984.

The Labor-HHS-Education appropriation bill passed by the House included $439 million for the block grant as recommended by the Appropriation Committee. In conference with the Senate, this amount was increased to $462 million. The President signed the Act on October 31, 1983 (Public Law 98–139). The Committee hopes the additional amount provided for the block grant will help to avert any major crisis in drug treatment and prevention services, but we intend to watch the situation closely.

4. ENHANCED DRUG ABUSE TRAFFICKING COORDINATION

On December 20, 1982, at the close of the 97th Congress, the House of Representatives and Senate approved and sent to the President H.R. 3963, an omnibus crime bill which included a provision which would have established an Office of the Director of National and International Drug Operations and Policy. The Director of this office who would have been appointed by the President subject to Senate confirmation, was the so-called "drug czar." The Director would have had the authority to direct and coordinate national and international operations for combatting drug trafficking. President Reagan vetoed the bill saying it would create an unnecessary layer of bureaucracy.

Two Members of the Select Committee on Narcotics Abuse and Control, Mr. Hughes and Mr. Shaw in their capacity as Members of the House Judiciary Committee, Subcommittee on Crime, introduced legislation in the 98th Congress to address the issue of drug

policy coordination. The bill which is currently moving through the legislative process is H.R. 4028, sponsored by Congressman Hughes and co-sponsored by Mr. Shaw. This bill contains the following provisions:

a. Establish an Office of Drug Abuse Policy in the Executive Office of the President which would be headed by a Director appointed by the President.

b. Unless the President selected the Vice President as Director, the Director would require Senate confirmation.

c. Except if the Vice President were selected as Director, the Director would be compensated at the rate of pay in effect for level II of the Executive Schedule (a top-level Presidential advisor).

d. Under the Director would be a Deputy Director for Drug Abuse Prevention and a Deputy Director for Drug Enforcement, each of whom would be appointed by the President by and with the advice and consent of the Senate.

e. The Director would coordinate and oversee the performance of drug abuse functions by Federal departments and agencies.

f. The Office of Drug Abuse Policy would receive authorizations of appropriations of $500,000 each for fiscal year 1984 and fiscal year 1985.

Chairman Rangel on October 3, 1983 sent a memorandum to all Members of the Select Committee urging them to support H.R. 4028. In this memorandum Mr. Rangel stated, "Since I became Chairman of the Select Committee in this Congress our hearings have repeatedly demonstrated, despite the Reagan Administration opposition, the need for a high-level official of the Executive Branch to develop, coordinate, and carry out Federal drug abuse policy." Mr. Rangel pointed out, "The bill is a thoughtful reasoned approach to the drug problem offered by two of our colleagues, who have studied the issue and are knowledgeable about it. The Select Committee on Narcotics Abuse and Control has prided itself on its bipartisanship. In that spirit of bipartisanship, I urge all my colleagues of the Select Committee to review this bill, and to support it."

Twenty-two Members of the Select Committee have co-sponsored H.R. 4028 which was ordered to be reported by the full Committee on the Judiciary on October 4, 1983.

The Select Committee looks forward to congressional action on H.R. 4028 early in the second session of the 98th Congress. Notwithstanding the visible attention the Reagan Administration has given drug trafficking and drug abuse, the simple fact remains that the availability of illicit drugs in our Nation remains unabated and levels of drug abuse are at an all time high. The 1982 Federal Strategy and subsequent Administration pronouncements however set forth an elaborate and Byzantine system of Cabinet Councils, and Cabinet Committees, executive boards and working groups in which responsibility for drug policy is dispersed and difficult to pinpoint. The Select Committee believes H.R. 4028 provides a mechanism to elevate and focus drug policy in the Executive branch, to ensure that drug programs receive budgetary priority, to facilitate the resolution of disputes between agencies with drug abuse re-

sponsibilities and to foster cooperation between all levels of government in combatting drug trafficking and drug abuse.

5. ORGANIZED CRIME DRUG ENFORCEMENT/FBI APPROPRIATIONS

On March 25, 1983, Mr. Rangel wrote to Chairman Neal Smith of the Appropriations Subcommittee on Commerce, Justice, State and the Judiciary concerning two budget lines in the fiscal year 1984 request for the Federal Bureau of Investigation (FBI) and the Organized Crime Drug Enforcement (OCDE) program.

Concerning the FBI, Congressman Rangel questioned the Department of Justice request for $830,000 and 25 new positions for the creation of a hostage rescue team. One justification given for creating this team was the threat of clandestine drug smuggling. The budget request stated, "In connection with the FBI's new responsibilities in narcotics matters, the team may be called upon to assist in the interdiction of drugs being brought into the United States by heavily armed groups landing in remote areas."

Chairman Rangel expressed concern with this projected mission for the FBI, noting that it interfered with procedures already established by other Federal law enforcement agencies for dealing with this type of smuggling attempt. Mr. Rangel wrote:

> Reorganization Plan No. 2 of 1973 designated the Drug Enforcement Administration (DEA) as the lead Federal agency in narcotics control. Under that reorganization plan, however, the Customs Service remained primarily responsible for the interdiction of all contraband, including drugs, at the land, sea, and air borders of the United States. Pursuant to a Memorandum of Understanding Between the U.S. Customs Service/Drug Enforcement Administration dated December 11, 1975, DEA must notify the Customs Service of information from its narcotic investigations which indicates a smuggling attempt is anticipated at or between an established point of entry as soon as possible after the information is received. Such information may result in a cooperative joint interdiction effort but shall in no case result in uncoordinated unilateral action.
>
> The actions of Attorney General Smith in January, 1982 of giving the FBI concurrent jurisdiction with DEA over drug offenses and general supervision over drug enforcement efforts have not altered the Customs/DEA procedures concerning border interdiction. In fact, the Implementation Directive for Concurrent Drug Investigative Jurisdiction between the DEA and the FBI, dated March 12, 1982, continues to lodge responsibility for coordination with the Customs Service in DEA.
>
> While many positive benefits may arise from the FBI's involvement in drug enforcement, it makes little sense to advocate the Bureau's involvement in border interdiction efforts, especially when that mission has long been within the expertise of other Federal law enforcement agencies. It has been my understanding that the responsibility of the FBI in narcotics enforcement is to focus its efforts and re-

sources on drug investigations involving organized crime. To involve the Bureau in interdiction efforts, not only detracts from that mission, but further muddles the FBI's role in drug enforcement and hampers effective coordination by the other agencies involved. The Customs Service, in cooperation with DEA, the Immigration and Naturalization Service (INS), as well as State and local authorities, has established contingencies and plans for dealing with episodes such as that described in the FBI's budget submission.

Mr. Rangel also inquired about the amounts requested for DEA/FBI automation capabilities in the OCDE program. While noting that the goal of both agencies' OCDE automation unit is the same, to provide a strong support capability permitting investigative personnel to identify and counter nationwide trafficking networks, Mr. Rangel expressed his concern that DEA must remain as the final repository of all drug intelligence as our Nation's lead drug enforcement agency.

On September 15, 1983, after the Commerce, Justice, State and the Judiciary Subcommittee completed its work on the fiscal year 1984 appropriations bill for the agencies under its jurisdiction, Chairman Neal Smith responded to the concerns raised in Mr. Rangel's letter. Congressman Smith indicated although the subcommittee included in the bill the full amounts requested for the FBI and the OCDE program, the "Committee will closely monitor the use of the funds for the items about which you expressed concern."

The House passed H.R. 3222, the fiscal year 1984 Appropriation Bill for Commerce, Justice, State, the Judiciary, and Related Agencies on September 19, 1983; the Senate-House Conference Report, H. Rept. 98–478 was adopted by the House on November 3, 1983. The President signed H.R. 3222 into law on November 28, 1983 (Public Law 98–166).

6. FISCAL YEAR 1984 FUNDING FOR THE BUREAU OF INTERNATIONAL NARCOTICS MATTERS, DEPARTMENT OF STATE

On September 29, 1983, Chairman Rangel wrote to Chairman Clarence D. Long of the House Appropriations Subcommittee on Foreign Operations expressing his concern over the status of the fiscal year 1984 budget request for the Bureau of International Narcotics Matters (INM), the Department of State. Mr. Rangel noted that the State Department is requesting $53,030,000 for international narcotics control assistance in fiscal year 1984, an increase of $16,330,000 over amounts provided for INM under continuing resolutions in fiscal year 1983. The principal reason for the requested increase was the achievement of new agreements with the Bolivian and Colombian governments for narcotics crop control support.

Chairman Rangel commented that the American Ambassador to Bolivia recently signed a series of four agreements with the Government of Bolivia that have been under negotiation since 1976. Two of the agreements have to do with providing assistance to reduce coca production to legal requirements and for controlling

that production. The other two agreements pertain to providing assistance for drug enforcement to reduce and restrict coca production to legal requirements and to suppress illicit manufacture and trafficking. In Colombia negotiations are underway to provide for an effective marihuana and coca leaf eradication program with United States aid in the form of financial and technical assistance.

Chairman Rangel remarked in his letter that the Department of State had budgeted $7,670,000 for fiscal year 1984 to meet obligations anticipated with the conclusion of the Bolivian agreements and $8,900,000 for the projected marihuana and coca crop eradication programs in Colombia. If the full amount requested for INM is not allocated by the Congress, Mr. Rangel noted, the Bolivian and Colombian projects would be vitally affected.

At the close of the first session of the 98th Congress, a regular fiscal year 1984 appropriations bill for foreign operations failed to receive floor action. On November 12, 1984, the Congress passed and sent to the President H.J. Res. 413 making further continuing appropriations for fiscal year 1984. The legislation, which was signed by the President on November 14, 1983, Public Law 98-151, allocates $41.2 million for international narcotics control in fiscal year 1984.

While the amount appropriated for INM is below that requested, it is the Committee's hope that the State Department is able to initiate the very important Bolivian and Colombian projects. The Select Committee has long been pressing the State Department to obtain commitments from producing countries to eliminate their illicit narcotic crops with the technical and financial support which the United States is prepared to provide. In order for these efforts by State to be successful, however, the Congress must appropriate funds commensurate with the projects attempted.

7. COAST GUARD FUNDING, FISCAL YEAR 1984

Public Law 98-78, the Department of Transportation and Related Agencies Appropriations Act, 1984, provided $369 million for the acquisition, construction and improvement (ACI) of Coast Guard equipment and facilities. This amount was nearly $10 million below the Administration's request and $40 million below the amount provided for fiscal year 1983. The fiscal year 1984 Department of Defense appropriation bill passed by the Senate included an additional $300 million for Coast Guard ACI activities in fiscal year 1984. The House-passed bill did not contain a similar provision.

Prior to the conference on the Defense appropriation bill, Mr. Rangel wrote to Congressman Addabbo, Chairman of the House Defense Appropriations Subcommittee, and urged the House conferees to accept the Senate provision. He said the resources provided to the Coast Guard had not kept pace with the many new missions the Coast Guard had been asked to perform in recent years, including drug interdiction. While praising the Coast Guard for carrying out its responsibilities admirably within the limits of its resources, he said the failure to reinvest adequate amounts for vessels, aircraft and other needed equipment had eroded both the Coast

Guard's military readiness and its capabilities to perform its many other missions.

In the area of drug enforcement, Mr. Rangel noted that the South Florida Task Force had drained Coast Guard assets from the North Atlantic area, leaving the northeast coast less protected from drug smugglers. Increased drug seizures in the North Atlantic indicated a shift in trafficking routes from the concentration of resources in South Florida to the northeast. Despite increased Coast Guard marihuana seizures, however, he said that even the Coast Guard admitted their efforts had little effect on illicit marihuana supplies in the United States. Finally, he pointed out that the Coast Guard had been given new responsibilities under the National Narcotics Border Interdiction System (NNBIS) headed by the Vice President, but that no new resources had been requested to implement NNBIS. He recommended approval of the additional $300 million provided in the Senate bill to help the Coast Guard augment its drug interdiction capabilities.

The conference report on the Defense appropriation bill contained the Senate increase in Coast Guard ACI funds. The President signed the bill on December 8, 1983 (Public Law 98-212).

8. OTHER LEGISLATIVE ITEMS

The Select Committee has monitored drug-related legislation in a number of other areas as discussed briefly below.

a. Pharmacy theft

A majority of the Members of the Select Committee have cosponsored bills, including H.R. 2929 introduced by Mr. Parris, to make the robbery of controlled substances from pharmacies or other registrants under the Controlled Substances Act a Federal crime. While these bills are in no way a panacea for the large and growing number of violent pharmacy robberies, they do attempt to address the serious problem of diversion of controlled substances by theft. The Federal Government has a legitimate interest in preventing thefts of controlled substances and also a strong responsibility both to help State and local governments deal with this problem and to protect from harm the legitimate dispensers of controlled therapeutic drugs. Even without additional criminal legislation, the Committee believes the Federal Government could be doing much more to prevent robberies of controlled substances through increased information sharing and other cooperative efforts with State and local law enforcement agencies.

b. Methaqualone

Early in the 98th Congress, Mr. Smith of Florida, a Member of the Select Committee, introduced H.R. 1055, and Mr. Rowland of Georgia introduced H.R. 1097. Both bills would move methaqualone, a commonly abused sedative-hypnotic drug, from schedule II to schedule I of the Controlled Substances Act (CSA), thereby banning prescriptions for the drug. The bills are similar to measures passed in Florida and Georgia to prevent the diversion of methaqualone to the illicit market through so-called "stress clinics."

After these State laws were passed, clinics moved their operations to other States.

Because of the widespread diversion and abuse of methaqualone, the Select Committee requested Administration views on H.R. 1055 and H.R. 1097. Letters were sent in April to the Drug Enforcement Administration, the Food and Drug Administration, and the White House Drug Abuse Policy Office. All three agencies opposed enactment of the bills because methaqualone has an accepted medical use in treatment for insomnia, steps have been taken to control the diversion of methaqualone from both domestic and foreign sources, and the CSA provides an administrative mechansim for rescheduling drugs when such action is warranted.

In October, the House Energy and Commerce Subcommittee on Health and the Environment held hearings on H.R. 1055 and H.R. 1097. The full Committee subsequently reported favorably a clean bill, H.R. 4201, to place methaqualone in schedule I of the CSA. On November 16, 1983, H.R. 4201 passed the House under suspension of the rules. Mr. Gilman, the ranking minority Member of the Select Committee, supported enactment of the bill during floor debate.

The Select Committee believes the scheduling and rescheduling of drugs should be accomplished, whenever possible, under the administrative procedures Congress established in the CSA. In this case, however, DEA does not have the authority to transfer methaqualone to schedule I administratively because the drug has an accepted medical use. After considering the evidence, the Committee believes the abuse potential of methaqualone far outweighs its therapeutic value. The Committee agrees with the report of the Energy and Commerce Committee which states, "Although methaqualone currently has an accepted medical use, there is a consensus of medical opinion that it has no unique therapeutic advantages over other available drugs and has a significantly higher incidence of and potential for abuse."

Under the circumstances, the Committee supports legislative action to place methaqualone in schedule I. The need for legislation at this time, however, may be moot. On the same day the House passed H.R. 4201, the only U.S. manufacturer of methaqualone announced that it was discontinuing production of the drug.

c. Medical use of marihuana

Another issue the Select Committee has followed for some time is the potential medical use of marihuana to treat glaucoma and the nausea and vomiting resulting from anticancer therapies. In May 1980, the Select Committee held hearings on the therapeutic potential of marihuana. Witnesses from the Drug Enforcement Administration, the Food and Drug Administration, the National Institute on Drug Abuse, the National Cancer Institute and the National Eye Institute testified on behalf of the Executive branch. Agency officials told the Committee that they opposed the approval of marihuana for general medical use because research on marihuana was still in the early investigational stages and additional, carefully controlled clinical studies were needed before the medical value of marihuana could be determined. The Committee's hearing report recommended that decisions to remove drugs from schedule

I be based on extensive research clearly establishing a medical benefit to meet broad public health needs and not be unduly inhibited by abuse potential.

In the 97th Congress and again in 1983, Mr. McKinney of Connecticut sponsored legislation to transfer marihuana from schedule I to schedule II of the Controlled Substances Act so that it can be prescribed for cancer and glaucoma patients. The current bill is H.R. 2282. Since nearly three years had elapsed from the Committee's hearing on marihuana's therapeutic potential, the Committee in April requested views on H.R. 2282 from those agencies that had testified in 1980. The Committee also asked for an update on the status of research investigating the therapeutic uses of marihuana.

In its reply, DEA opposed the legislation as unnecessary because existing Federal laws establish a process for approving new drugs for clinical use after the medical value of a new drug has been scientifically demonstrated. It is DEA's understanding that available research into the clinical utility of marihuana is inconclusive. DEA also said that the supply of marihuana cigarettes maintained by NIDA for use in sanctioned studies was more than enough to meet demand.

The Select Committee has transmitted a copy of DEA's reply to the House Energy and Commerce Subcommittee on Health and the Environment to which H.R. 2282 has been referred. The Select Committee has not received views from the other agencies affected by the bill.

d. Look-alike drugs

During the 97th Congress, the Select Committee held two hearings on look-alike drugs. These products are over-the-counter formulations made to look like, or purported to imitate the effects of, commonly abused controlled drugs such as amphetamines. Although these products are made from legally available substances found in many over-the-counter remedies, they are intended to be used for non-medical or recreational purposes. When used improperly, these drugs pose risks of serious harm, and their use has been linked to numerous deaths and injuries. These products serve no legitimate purpose. They only promote a culture of drug abuse while reaping huge profits for manufacturers and distributors.

The Select Committee has continued to monitor developments in the distribution and abuse of look-alike drugs during the 98th Congress. One clear finding that emerged from the Committee's hearings and remains true today is the ability of look-alike manufacturers and distributors to circumvent regulatory efforts by changing the appearance and ingredients of their products and their marketing methods. Federal enforcement efforts have forced some look-alike promoters out of business and have stopped some of the most egregious marketing practices used by look-alike dealers. Nevertheless, these products remain available to meet a sizeable demand, especially among young people.

Legislation has been introduced in the Senate by Mr. Humphrey (S. 503, S. 2094) and in the House by Mr. Sisisky (H.R. 3636) to make the manufacture and distribution of imitation controlled substances a Federal crime. The Select Committee is studying these proposals. The Food and Drug Administration also recently an-

nounced that it would enforce the new drug provisions of the Federal Food, Drug, and Cosmetic Act against certain double combinations of over-the-counter drugs frequently found in look-alike products. If successful, this action will force these products off the market. The Committee will continue to monitor the look-alike situation to determine the effect of this most recent regulatory action.

D. Ongoing Oversight Activities

1. The Select Committee's survey and research program

During 1983, the Select Committee on Narcotic Abuse and Control initiated a program of surveys to enable it to review and assess the Federal policies concerning drug abuse and control.

a. Survey of Federal drug abuse and control research programs

The Select Committee began an exploration of the role and usefulness of research as it is presently applied to the drug abuse and control problems. The Committee feels that properly designed research programs will provide opportunities to anticipate changes and trends in the drug abuse supply and demand situations and to adjust Federal policies in both a proactive as well as in the reactive mode. The Select Committee is particularly interested in federally conducted and sponsored research designed to (a) identify the parameters and measure the extent of the various facets of the drug supply-demand threat; (b) anticipate changes in the threat; (c) develop and test responses to existing and anticipated threats; and (d) evaluate the effectiveness of the existing response policies and programs.

There now exists a considerable number of Federal agencies directly and indirectly involved with one or more aspects of the drug abuse and control problem. We identified 36 such agencies and asked them to provide the Select Committee with the information needed for the compilation of a compendium of current and recent drug-related research. A preliminary analysis of the survey returns reveals that twenty of the thirty-six agencies reported one or more research studies within the past five years. The largest amount of Federally sponsored research was reported by the National Institute on Drug Abuse. This is in accord with NIDA's statutory mandate contained in 21 USC 1193. The second greatest number of studies was reported by the Veterans' Administration. The Drug Enforcement Administration, which through the Attorney General is mandated by the Controlled Substances Act of 1970 to conduct drug abuse/control research, reports a remarkably small program which fails to cover the spectrum of mandated research topics. Note also has been taken of the fact that, unlike other military departments, the Department of the Army, which has the largest behavioral and social science facility in the Federal Government, does not allocate any of its research efforts to its drug abuse/control problems.

b. Survey of State and local law enforcement, prosecution, treatment and treatment professionals

In this survey the Select Committee sought to determine how changes in national drug abuse/control policy over the past few years have affected the Federal, State, and local efforts in drug law enforcement, prevention and treatment. Inquiries were sent to 440 potential respondents which included State and local police agencies, State attorneys general, local prosecutors and State and city drug abuse treatment and prevention coordinators. Responses were received from 91 police agencies, 15 State attorneys general, 17 local prosecutors, 17 State drug abuse coordinators and 4 city coordinators. A total of 145 replies were received from 48 States, the District of Columbia and 3 territories. A content analysis of the replies revealed the following widely held beliefs:

(1) The primary Federal role in drug law enforcement should be concerned with policies, strategies and programs to control domestic and international drug trafficking.

(2) The major hindrance to implementing effective drug law enforcement, prosecution, prevention and treatment policies is a lack of cooperation and coordination of efforts among Federal, State and local agencies. Organizational and/or program-policy changes most recommended for consideration are policies which would foster greater coordination and cooperation.

(3) The most appropriate role for State and local governments in the area of drug law enforcement is the coordination of their local efforts with the Federal agents. State and local governments must take the lead in providing prevention and treatment programs.

(4) State and local governments need financial support from the Federal Government for undercover investigations, "buy money," "flash money," and the purchase of equipment. Federal assistance is also needed to improve prevention and treatment programs. Law enforcement officials also cited the need for intelligence and information sharing, use of Federal equipment, deployment of additional Federal manpower, and federally sponsored training for State and local agents.

When asked to evaluate the drug abuse situation in their jurisdictions, 68 percent of State and local officials cited an increase in cocaine, 43 percent an increase in marihuana, 26 percent an increase in heroin, and from 13 to 17 percent an increase in hallucinogens, prescription drugs and methamphetamines. On the other hand decreases in hallucinogens, heroin and prescription drugs were reported respectively by 14 percent, 8 percent and 7 percent of the respondents.

The law enforcement/prosecution community perceives the policy giving the FBI concurrent jurisdiction with DEA in drug law enforcement as having the potential for improved enforcement when and if the present problems can be overcome. The specific problems enumerated are a lack of well-defined roles, duties and responsibilities to distinguish between the two agencies; the lack of cooperation between DEA and the FBI, and between the FBI and the State and local police agencies; and a perceived lack of in-depth drug law enforcement training and experience by FBI agents.

The prevention/treatment community views the shift to block grant funding as a negative development because it has resulted in decreased funding capabilities. Both political considerations and competition from other types of programs for block grant funds, as well as program reductions, have been held responsible for decreased funding for prevention and treatment programs.

2. DOMESTIC MARIHUANA CULTIVATION

In 1983 the Select Committee on Narcotics Abuse and Control placed a high priority on the efforts of the Drug Enforcement Administration to identify and control the domestic production of marihuana. Through oversight hearings focusing on DEA, field hearings in locations where marihuana cultivation and eradication programs have been of local concern, surveys of State Attorneys General and of California and Arizona enforcement officers, and briefings with DEA staff, the Committee has sought to keep abreast of DEA's programs in this critical area and its success in suppressing illicit cultivation. The implications of the unchecked growth of marihuana in the United States cannot be minimized. Our efforts to control and eliminate the cultivation of narcotic crops in source countries will be unduly frustrated if our own drug enforcement agency is unsuccessful in its attempt to control the domestic production of cannabis.

a. DEA's programs and practices

The domestic marihuana program of the Drug Enforcement Administration essentially consists of a cooperative program with 40 State law enforcement agencies primarily responsible for the eradication of domestic cultivation and the apprehension of growers. DEA has submitted the following marihuana program description to the Committee:

Program guidance, accomplished through the development of annual operating plans by the DEA State Coordinator and State and county law enforcement representatives.

Funding, provided to each State according to needs reflected in the operating plans and subject to review by DEA. Allocations are made through letters of agreement.

Investigations, conducted jointly by DEA and State authorities.

Air support, provided by DEA pilots and aircraft for training and aerial surveillance.

Intelligence, stressing information sharing to develop an intelligence base on the extent of cultivation and distribution systems.

Training, to include support for State-sponsored schools and prosecutor seminars. In 1983, DEA has conducted 19 schools for State, local, U.S. Forest Service, Bureau of Land Management, and military personnel in the location of marihuana plants by air, the securing of search warrants, and the conduct of raids on marihuana growing sites.

Technological support, including development of an herbicide model, testing of new equipment for locating and plotting growing sites, and participation in a high-altitude reconnaissance project with the U.S. Forest Service.

Public awareness, in which DEA works with the White House Media Coordinating Committee, distributes its "DEA Eradication Program" film, provides public information guidance to DEA field offices, and helps State agencies establish public cooperation hotlines.

Interagency cooperation, in which DEA coordinates the program with the Director of the White House Drug Abuse Policy Office, U.S. Forest Service, Bureau of Alcohol, Tobacco and Firearms, FBI, State Department, National Guard, National Park Service, Bureau of Land Management, and Bureau of Indian Affairs.

DEA has programmed $2.4 million for fiscal year 1983 and $2.5 million for fiscal year 1984 to support state marihuana eradication efforts. In addition, DEA has assigned two senior headquarters managers to direct the program with the assistance of three staff coordinators. Three DEA field personnel are assigned TDY to the marihuana eradication training program and thirteen DEA pilots and two airwing coordinators are engaged in the endeavor.

While the Select Committee believes that DEA's cooperative program with the States is the most effective way to combat domestic marihuana production, and the program developed by DEA has the potential of success, the strong effort by DEA to date has not been able to appreciably reduce the level of domestic production of marihuana in the country. For example, when Acting Administrator Mullen appeared before the Select Committee on May 24, 1983, he indicated that more cannabis was eradicated in the United States in 1982 than was previously believed to exist. DEA estimates that 1,653 metric tons of marketable marihuana were eradicated in 1982. The intelligence estimate for total 1982 domestic marihuana production was 1,200 metric tons. Therefore, the program showed that in 1982, 38 percent more domestic marihuana was eradicated than was previously believed to exist.

For 1983, however, DEA has tentatively informed the Committee it does not plan to make a tonnage estimate of 1983 production and will only announce the number of plants that it has eradicated. DEA estimates that in 1983 law enforcement agencies will eradicate 3.7 million plants. DEA has indicated to the Committee its reluctance to place an estimate on actual domestic production in 1983 because of variations in measurements by police authorities of the weights of marihuana plants and in the size of growing areas.

b. Utilization of paraquat in domestic marihuana eradication

In August 1983 the Drug Enforcement Administration announced plans to begin a domestic marihuana eradication program using the herbicide paraquat. Paraquat has had a checkered history in narcotics enforcement. In 1978 the Congress passed the "Percy Amendment" which forbade the use of U.S. foreign assistance funds to support marihuana eradication programs abroad involving the spraying of paraquat. This prohibition was triggered by a Department of Health, Education and Welfare (HEW) estimate that an estimated 100–200 marihuana smokers a year in the United States were likely to be harmed by smoking paraquat-sprayed marihuana.

Subsequent congressional findings, most notably by the Select Committee, revealed that paraquat is the most effective and envi-

ronmentally safe herbicide for use in marihuana eradication programs. Moreover, it was found that HEW's analysis of potential health risks from smoking paraquat-sprayed marihuana was based on highly questionable "worst case" assumptions. The Percy Amendment also has seriously undermined the credibility of our Nation's commitment to international narcotics control and impeded our ability to encourage the cooperation of source countries on drug matters. Based on these congressional findings, the Percy Amendment was repealed in 1981.

Notwithstanding this repeal, marihuana source countries, most notably Colombia, continued to show a reluctance to participate in marihuana eradication efforts spraying paraquat. This intransigence, coupled with a growing domestic marihuana cultivation problem, prompted DEA to begin spraying marihuana in Chattehoochee National Forest in Georgia on August 12, 1983. This began a planned effort that would have included spraying in National Parks and Forests in Kentucky and Tennessee. After the brief effort at spraying paraquat in Georgia, DEA's program was met by lawsuits which blocked its continuation. The suits were filed by the Sierra Club and the National Organization for the Reform of Marihuana Laws (NORML). Essentially, the opponent argued that the spraying violated the National Environmental Protection Act (NEPA) because DEA proceeded with its spraying project without the benefit of an environmental impact statement (EIS).

On November 8, 1983 Judge June L. Green in the United States District Court for the District of Columbia issued a consent judgment prohibiting DEA from using or authorizing the use of paraquat on Federal lands until the preparation of an EIS on paraquat's use in compliance with NEPA and the regulations of the Council on Environmental Policy. At the present time DEA is proceeding with the preparation of an EIS and hopes to properly complete the tests in time for the recommencement of the paraquat spraying program in 1984.

The Select Committee supports the use of all legitimate means to eradicate the illicit cultivation of marihuana in the United States. It complements the comprehensiveness of the program developed by DEA. We urge DEA, however, to insure that all statutory requirements are met before a plan of action is decided upon. Our efforts to convince other nations to utilize paraquat in marihuana eradication efforts will be irreparably damaged if our own Nation becomes embroiled in an unnecessary controversy over the use of paraquat for marihuana eradication purposes.

c. Select Committee domestic marihuana surveys

As part of its assessment of the effectiveness of DEA's domestic marihuana eradication efforts, the Select Committee's survey program sent a questionnaire to the State attorneys general, and to California and Arizona county sheriffs as a follow-up to the Committee's hearing in Redding, California on July 22–23, 1983.

(1) State attorneys general survey on domestic marihuana cultivation.—An inquiry was sent to the Attorneys General of each of the fifty States and four U.S. Territories requesting an estimate of the local situation concerning the cultivation of marihuana, and particularly of high grade sinsemilla. Issues covered in the survey

were: whether or not the Federal, State, and local enforcement authorities are bearing a fair share of the responsibility in eradicating cultivated marihuana; the specific problems confronting law enforcement agencies; the kind of marihuana encountered; the marketing of the product; and violence associated with cultivation efforts. Of the fifty-four (54) letters sent, forty-four (44) replies have been received so far. Follow-up letters have been sent to nonrespondents.

Of the 44 jurisdictions responding, 77 percent reported a significant problem with the growing of marihuana; 16 percent reported no significant marihuana cultivation problem; and 7 percent had insufficient information to judge the extent of the problem within their jurisdiction.

Most areas that reported the existence of a significant problem with illicit marihuana cultivation requested an increase in assistance from the Federal Government. Nine jurisdictions asked for assistance in the form of personnel and training, eight requested equipment for surveillance, access, and/or disposal, and others requested funding for buy money and/or the purchase of intelligence information.

The use of greenhouses as a cultivation technique was frequently reported as increasing in popularity among growers. Three States reported marihuana growth being alternated with legitimate crops. Federal and other public lands also are used to avoid determination of crop ownership. Fifteen States reported weapons and/or booby traps associated with cultivation efforts, and seven of these reported actual attacks on law enforcement officers or surveillance aircraft.

The domestic cultivation of marihuana was shown to be an increasing problem by the responses to this survey. This activity places an increased amount of high-grade marihuana on the domestic market and puts law enforcement officers and innocent civilians in danger from an increasing number of determined and protective growers. The crop is easily hidden, enforcement is frustrated by current laws governing marihuana cultivation, and eradication programs are too costly to be carried out successfully by local and State authorities even with the assistance available through the Federal Government. Because of the increasing market for domestically grown marihuana and the enforcement problem mentioned above, the growth of domestic marihuana is expected to increase.

(2) California and Arizona sheriffs survey on domestic marihuana cultivation.—As a follow-up to the Committee's hearings on marihuana cultivation held in Redding, California, on July 22–23, 1983, a questionnaire was sent to the sheriffs of California's 58 counties inquiring into the extent of the problem, availability of law enforcement resources, arrest and prosecution patterns, and the types of Federal assistance required.

Most of the sheriffs who replied stated that illicit marihuana cultivation is a problem in their county. One-third of the average county consists of public lands and nearly half of the sheriffs stated that the larger portion of the marihuana grown in the county is on those lands. In the face of increasing cultivation, nearly half have, or expect to have, budget and/or personnel cuts affecting their ability to eradicate marihuana, and another one-third feel uncertain

about available resources. Almost one-fourth of the sheriffs noted a reluctance of prosecutors and judges to prosecute, to seek, or to impose penalties commensurate with the potential profits from marihuana cultivation. Although the sheriffs feel that marihuana eradication is primarily a matter for local authorities, Federal assistance in the form of funding, training and equipment is necessary as well as the assistance of National Guard pilots and aircraft.

The same survey was circulated to the sheriffs of Arizona's 15 counties who, for the most part agreed with their California counterparts. However, Arizona sheriffs have faced less severe funding and personnel cutbacks and seem to be less uncertain about the future. There appears to be less reluctance on the local level to prosecute for marihuana cultivation in Arizona, but where statistics are available, successful prosecutions tend to result in probation or minor fines incommensurate with the profits of the criminal enterprise. No prison terms were reported by the responding sheriffs. Federal prosecution for marihuana cultivation and smuggling in Arizona is reported as virtually nonexistent.

d. Summary of domestic marihuana cultivation

Domestic marihuana cultivation has emerged as a major drug enforcement problem. In response to it the Select Committee feels that DEA has developed an imaginative and diverse domestic marihuana eradication program. The Committee agrees that State enforcement agencies take the lead in direct eradication efforts. DEA, however, must be in a policy and technical leadership role in this important effort. This role will require

—an improved data base to understand the extent of domestic cultivation;
—sufficient resources to assist State agencies in their efforts;
—unencumbered policies of preferred eradication techniques, including the use of herbicides; and
—recognition by DEA and the Department of Justice that domestic marihuana cultivation is, in the final analysis, a Federal responsibility.

3. INVESTIGATION OF ALLEGATIONS OF FEDERAL MISMANAGEMENT OF METHADONE MAINTENANCE PROGRAMS

The staff of the Select Committee on Narcotics Abuse and Control conducted an investigation of charges alleging Federal mismanagement and lax regulatory oversight of methadone programs. The allegations charged that Federal "pushing" of methadone treatment at the expense of other modalities has led to the increased availability of illicit methadone and an intolerable number of methadone related deaths.

In its investigation the staff interviewed the Federal and New York officials most concerned with methadone programs. New York was included because nearly two-thirds of the reported methadone-related deaths occurred in New York City. They reviewed relevant literature and re-analyzed methadone related statistical data. The staff concluded that methadone is a very useful and successful drug, but that it is not without its risks. Other treatment modalities appear to be equally successful, but with addicts with

different personal characteristics. They also concluded that methadone casualties are more likely to occur when the drug is taken without medical supervision, that there are indications of increasing prevalence of illicit methadone, that the control of methadone diversion is a low law enforcement priority, and that the system for identifying methadone related deaths and the programmatic response to methadone casualties needs improvement.

The staff recommended that hearings involving methadone should be held within the context of the costs, risks, and benefits of the various treatment modalities. Specific attention should also be directed, however, to methadone casualty definition, identification, recordkeeping, and programmatic response to adverse reactions to methadone.

4. FEDERAL AVIATION ADMINISTRATION EMPLOYEE DRUG ABUSE POLICIES

On May 27, 1983, the Wall Street Journal reported on drug use among air traffic controllers and trainees, a problem which a number of professionals in the field characterized as more serious than the Federal Aviation Administration (FAA) recognized or was willing to admit. Shortly thereafter, the Select Committee was contacted by a former air traffic controller trainee who failed the FAA's controller course in 1982. She said she had witnessed an alarming use of drugs by controller candidates at the FAA's Oklahoma City academy, many of whom had graduated and were now working at FAA air traffic facilities around the country. She urged more stringent pre-employment screening of controller applicants, including use of lie detector tests, and periodic, mandatory drug screening tests for veteran controllers.

Prompted by these reports and the serious implications they raise about the safety of the flying public, the Select Committee initiated an investigation of FAA efforts to respond to drug use by air traffic controllers. Committee staff visited FAA air traffic control facilities in the Washington metropolitan area to view air traffic control operations first hand. Committee staff also met with FAA staff to discuss the agency's employee drug abuse policies.

Agency officials told the Committee that while they recognize the possibility that a drug use problem among flight controllers may exist, they had not identified a significant substance abuse problem. They said the agency relies mainly on background security and medical checks of controller candidates and supervisors' reports of poor performance by veteran controllers to uncover potential drug abuse problems. They admitted that, in an effort to replace striking controllers in 1981, security and medical investigations of controller trainees had been relaxed by accepting candidates for training before all background checks were complete. Effective October 1, 1983, the agency intended to return to pre-1981 procedures requiring the completion of all background checks before accepting applicants for training. The Committee has since been advised that this requirement has been reestablished although exceptions still may be required and will be approved on a case-by-case basis.

With respect to mandatory drug screening procedures for trainees and veteran controllers, FAA officials said the agency did have the legal authority to conduct routine drug urinalyses or other tests to determine drug use by employees. The FAA has not used blood or urine tests routinely to check for illegal drug use by new hires or active controllers, but such tests have been used in the past in cases where there was probable cause to suspect that illegal substances were being used by employees. Agency officials said the FAA was currently reconsidering the need for some kind of routine drug screening program for employees, including urinalysis, as part of an overall review of FAA employee drug abuse policies. This position represents a reversal of an FAA policy statement in April 1983 that the agency had considered both urinalysis and blood testing, found them unsatisfactory because of their questionable accuracy, and was no longer actively pursuing or seriously considering drug screening procedures. The agency representatives said the current policy review would take several months to complete.

The Select Committee believes the FAA should be given a reasonable opportunity to review its employee drug policies and consider alternatives to its current practices. The Committee is most concerned, however, that the agency develop, communicate, and enforce a clear, consistent policy on employee drug abuse that will protect the public from impaired air traffic controllers and help rehabilitate employees in appropriate cases. The Committee will continue to monitor the FAA's progress in this area and will carefully examine the results of the FAA's current drug policy review.

5. CRITIQUE OF PARAQUAT REPORT ISSUED BY THE CENTER FOR DISEASE CONTROL

The July 1983 issue of the American Journal of Public Health published an article by researchers at the National Institute of Occupational Safety and Health, Center for Disease Control (CDC) concerning the public health risk of smoking paraquat-laden marihuana. The article contained the data upon which an earlier policy decision (since revoked) to prohibit the funding of programs for the eradication of foreign marihuana crops by paraquat spraying was based.

According to the NIOSH/CDC study, computer simulations demonstrated that a small number of marihuana smokers in the southwest were exposed to 500 or more milligrams of inhaled paraquat, a dosage level, which on the basis of animal studies was assumed to produce pulmonary damage in humans. The simulation indicated that a somewhat larger number of smokers can be expected to accumulate a lesser dosage that is less serious, but which also heightens the probable risk of pulmonary injury.

The research staff of the Select Committee on Narcotics Abuse and Control took issue with several of the basic assumptions of the study, viz; that all the smoke from a marihuana cigarette is ingested, that what is ingested is ingested by one person, and that all the inhaled paraquat is delivered to and retained in the lungs. It was also noted that no research data exist on the inhalation toxicity of paraquat and marihuana in humans. The staff then made a revised, but still conservative estimate and recalculated the NIOSH/

CDC data with the assumption that the actual dosage accumulated in the lungs of smokers was one-third that of the published study. Under the revised assumption virtually nobody fell into the high risk category, and the number in the lower risk category decreased to 26 percent of that reported by NIOSH/CDC.

The finding of the NIOSH/CDC study that each year from 1975 to 1979, 100 to 200 marihuana smokers, mostly in the southwestern United States, were exposed to a dangerous level of inhaled paraquat (500 or more milligrams) have been assessed in light of the changed assumptions. Under the new assumptions, that level of exposure must be considered a very rare likelihood indeed. The Select Committee's critique and findings were submitted for review to the National Institute on Drug Abuse. NIDA concurred with the Committee finding that the assumptions made by the authors of the NIOSH/CDC paper were "unrealistic".

E. Special Activities

1. SUPPORT FOR NATIONAL DRUG ABUSE PREVENTION EFFORTS

a. Workshop on drug abuse for the Congressional Black Caucus weekend

Chairman Rangel hosted a workshop on Drugs: The Problem and the Expense in the Urban Complex, on September 23, 1983, as part of the 13th Annual Legislative Weekend of the Congressional Black Caucus. Mr. Rangel is a former Chairman of the Black Caucus and Congressman Edolphus Towns, who is a member of the Select Committee on Narcotics, presently serves as Secretary of the Black Caucus.

The purpose of the workshop was to examine the nature and extent of drug abuse and drug trafficking in our society and the impact of drug abuse and drug trafficking on the Black community. The Workshop featured presentations by experts in the fields of the Federal drug strategy, international narcotics control, drug law enforcement, drug abuse treatment, and drug abuse education, prevention, and community action.

Topics for discussion at the Workshop included:

(1) The Federal strategy for prevention of drug abuse and drug trafficking.

(2) The need for an effective international narcotics control program.

(3) The effects of drug abuse and drug-related crime on the administration of justice and the provision of health care and social services.

(4) Causes of drug abuse—poverty, unemployment, lack of opportunity, peer pressure, alienation, and availability of drugs.

(5) The impact of drug abuse on our schools, neighborhoods, and communities.

(6) Drug abuse in the workplace.

(7) Effective community responses to drug abuse and the roles of parents, churches, schools and other community resources in drug abuse prevention.

Mr. Rangel solicited from the members of the Select Committee who are also Caucus Members, Mr. Towns, Mrs. Collins, and Mr.

Fauntroy, suggestions for workshop panelists. The panel participants were:

International/Federal strategy

(1) Mr. John T. Cusack, Chief of Staff, House Select Committee on Narcotics Abuse and Control
(2) Dr. Carlton E. Turner, Director of the White House Abuse Policy Office and Special Assistant to The President for Drug Abuse Policy
(3) Dr. William Pollin, Director, National Institute on Drug Abuse

Law enforcement

(1) Mr. Benjamin J. Malcolm, Commissioner, U.S. Parole Commission
(2) Mr. Sterling Johnson, Special Narcotics Prosecutor, City of New York
(3) Mr. Maurice Turner, Chief of Police, District of Columbia
(4) Mr. Thomas A Duckenfield, Clerk of the Court, Superior Court of the District of Columbia

Treatment

(1) Dr. Beny J. Primm, Executive Director, Addiction Research and Treatment Corporation, New York
(2) Dr. Alyce C. Gullattee, Administrator, Alcohol and Drug Abuse Services Administration, Washington, D.C.
(3) Dr. Ronald Forbes, Assistant Professor of Psychiatry, Medical College of Virginia, Associate Director, Substance Abuse Medicine Unit, Medical College of Virginia Hospital
(4) Mr. Ron Clark, Executive Director, RAP, Washington, D.C.

Education, prevention, and community action

(1) Mrs. Floretta D. McKenzie, Superintendent of Schools, District of Columbia
(2) Rev. Henry C. Gregory III, Pastor, Shiloh Baptist Church Washington, D.C.
(3) Ms. Vonneva Pettigrew, Founder and President, Parents and Youth Against Drug and Alcohol Abuse, Washington, D.C., Member Board of Directors, National Federation of Parents for Drug-Free Youth
(4) Mr. Ray Andrus, Staff Representative, Department of Community Services, American Federation of Labor—Congress of Industrial Organizations

Chairman Rangel opened the workshop noting, "Drugs undermine our laws, and create an immense drain of the Nation's resources. The problem grows worse in the face of ostensibly increased efforts to bring it under control." The workshop participants were called upon to make their observations on the nature of drug abuse. Dr. Turner explained that, "The Federal Strategy on Drug Abuse Prevention and Drug Trafficking, 1982," was prepared by his office and the Federal agencies responsible for drug abuse

matters with advice from experts in the field of drug abuse prevention and drug trafficking. Turner pointed out that the strategy has three basic thrusts. The first is to reduce the supply of drugs available to this country through the elimination of drug-producing plants at their origin or interdicting those in transit. The second is to create a condition in the United States whereby the demand for drugs will be diminished. And the third line is to reduce the tremendous social cost that this country pays each year because of drug abuse.

Mr. John T. Cusack, Chief of Staff of the Select Committee told the audience that the illicit cultivation of narcotic crops corrupts the way of life in drug producing countries. He noted that on the Select Committee's recent (August 1983) fact-finding trip to South America, it learned that corruption is destroying the criminal justice system in Peru, Bolivia, Colombia, and Jamaica.

Dr. Beny Primm observed that, "Forty percent of all the addicts in the country are located in New York. We are seeing a rise in addicted behavior including school teachers, assistant principals, people who are earning a great deal of money so the problem is not just among the poor and the Blacks, but among all middle-class and even upper-class people. I am seeing a shifting from age groups of 18 to 22, to the 24 to 30 age group coming in for treatment." Dr. Alyce Gullattee observed that, "There is a disproportionate number of Blacks and Hispanics in treatment programs; the only thing that the Government looks at is how you can get them off the street so that they don't commit crimes."

Members of the Select Committee on Narcotics hope that participants at the workshop on Drugs: The Problem and the Expense in the Urban Complex, gained a better understanding of the complexities of drug abuse and that the session will encourage them to become leaders in their local communities in a national effort to curtail drug abuse.

b. Committee support for the National Federation of Parents for Drug Free Youth and the PBS broadcast of "The Chemical People"

Shortly after its reconstitution in April 1983, the Select Committee met with Pat Burch and Susan Silverman, legislative co-chairpersons of the National Federation of Parents for Drug Free Youth (NFP), an organization founded in May 1980 to educate parents about drugs, drug abuse and how to recognize children who are using drugs. Projecting parental responsibility as its theme, it assists parent groups in developing practical solutions to drug abuse problems in the United States. The NFP requested the Committee's encouragement of their activities. While expressing complete support for the Committee and its work, the NFP was particularly concerned that the Committee not place all of its efforts on the elimination of heroin and cocaine trafficking to the exclusion of marihuana and other "soft" drugs. Their concern was that the effects of marihuana on children are devastating and that the Committee should not send out the wrong "signals".

The Committee is in agreement with the activities of the National Federation of Parents for Drug Free Youth and has been very supportive of their efforts. Representatives of the NFP were invited

to testify and express their views on several issues at Committee hearings conducted in New York City on drug trafficking and abuse in the Northeast; in Redding, California, on the domestic cultivation of marihuana; in West Palm Beach, Florida, on the effects of drug trafficking and abuse in the South Florida community; in Washington, D.C., on the 1982 Federal Drug Strategy on Treatment and Prevention; and finally in Corpus Christi, Texas, on drug trafficking and drug abuse on the Texas Gulf Coast.

The Committee was particularly supportive of a landmark community-based television project presented on the Public Broadcasting System (PBS) entitled "The Chemical People" sponsored by the National Federation of Parents for Drug Free Youth and over 30 other service and civic groups across the U.S. The project was designed to combat school-age drug and alcohol abuse. First Lady Nancy Reagan, joined by a number of entertainment and sports personalities, hosted two one-hour television specials, aired on November 2 and November 9, 1983.

A "Dear Colleague" letter, signed by every member of the Select Committee was circulated to every Member of the House urging them to contact their local PBS stations to lend their support and encouragement to "The Chemical People".

In addition to the "Dear Colleague" letter, several Members of the Committee did promotional television advertisements encouraging viewers to watch the program. At the time of the broadcast's airing, all three hundred PBS stations across the Nation televised the program.

"The Chemical People" program had two objectives. The first was to inform, i.e., to get people, specifically parents, to acknowledge the existence of drug abuse among young people and confront the "wall of denial" which often prevents any meaningful assault on the problems of drug abuse. The audience learned that while drug usage among youth is a national problem, it must be recognized within each individual community, school and home.

The second objective of the broadcast was to motivate. The Nation was presented with guidelines on how to form task forces to prevent and combat youth drug abuse. Experienced community resource people detailed existing programs of community information, prevention, intervention and treatment, and discussed how communities could form new parent groups or use existing alliances to take specific action.

"The Chemical People" project was unique because it attempted to enhance existing community-based drug abuse prevention programs and establish new ones through the use of television, our Nation's most popular communication medium. In addition, it provided the Committee and other Members of Congress the opportunity to cooperate with local PBS stations and become involved in organizing town meetings on drug abuse prevention.

The Committee believes that the successful fight against drug trafficking and abuse involves efforts on several fronts: strong interdiction and enforcement efforts on both Federal and State levels as well as effective and available treatment programs, and substantive education and prevention programs at the local level. The National Federation of Parents has been very effective in educating and exposing parents to the signs of drug usage and the

ways of eliminating its rampant use in the schools and local communities.

c. Address by Chairman Charles B. Rangel to the World Federation of Therapeutic Communities, Chicago, Illinois, May 9, 1983

Chairman Rangel gave the plenary address at the Seventh World Conference of Therapeutic Communities on May 9, 1983, in Chicago, Illinois. The World Federation of Therapeutic Communities (WFTC) is an international consortium of drug-free treatment modalities. WFTC's President is Monsignor William O'Brien, who is also President of Daytop Village in New York. Daytop is the oldest publicly funded, drug-free treatment agency in the United States.

The Chairman stressed in his remarks the need for an aggressive Federal strategy to combat drug abuse. Commenting on the contradiction in existing Federal policies on drug abuse treatment, prevention, and research—strong rhetoric, but insufficient resources—Mr. Rangel said, "It's good stuff. But does it replace a concrete, across-the-board Federal commitment to the Nation's chronically underfunded treatment and prevention programs?" Mr. Rangel emphasized that he was not expressing a partisan opinion but voicing a concern that is shared on both sides of the aisle in Congress.

In his address to the drug-abuse treatment leaders, Mr. Rangel emphasized the need for strong and effective narcotics law enforcement and international narcotics control policies as an integral part of our Nation's fight against drug abuse. The Chairman noted that combining drug treatment programs with successful enforcement of drug trafficking statutes will dramatize the necessity of fighting the ravages of drug abuse on all fronts. Congressman Rangel closed with the following points:

> Treatment facilities must be available for those who are personally afflicted—it is in all of our interests to restore them to useful roles in society, and end the toll of their antisocial activities. Even more imperative is the economics of prevention—the economic payoffs from efforts to keep our citizens from falling into the abyss of addiction. The modest costs of research are well worth bearing to aid the goals of drug abuse education and treatment.
>
> And enforcement of the drug laws at all levels of government must be carried out vigorously not only to combat specific criminal violations but to demonstrate society's refusal to tolerate the deadly traffic. This must be done internationally, and in our local streets.

d. Meetings with the National Association for City Drug and Alcohol Coordination

On May 12, 1983, Chairman Rangel addressed the annual meeting of the National Association for City Drug and Alcohol Coordination (NACDAC) in Washington, D.C. NACDAC is a consortium of city drug and alcohol program coordinators representing mayors of cities with major alcohol and drug abuse problems. The Association was formed in 1978 to effectively document, present and pursue the urban perspective in alcohol and drug abuse planning.

In his remarks, the Chairman briefly outlined some of the major items on the Select Committee's agenda and said an overriding theme in the Committee's inquiries would be whether drug programs—both to control supply and reduce demand—were being given adequate and fair resources under the Administration's budget economies. He expressed his own doubts citing static budgets for law enforcement agencies, the Administration's slow pace in setting up the twelve new organized crime drug enforcement task forces, the small amount of funds designated for international narcotics control, cuts in Federal support for drug treatment and prevention programs under the alcohol, drug abuse, and mental health services (ADMS) block grant, and reductions in the public information budget at the National Institute on Drug Abuse.

The Chairman also discussed legislation that could emerge from the 98th Congress dealing with drug trafficking and abuse. In the international area, he described the Zablocki-Rangel-Gilman amendment to the foreign assistance bill that would strengthen the requirement that aid recipients cooperate with us to control international narcotics traffic. With respect to drug-related crime, he mentioned legislative proposals to tighten bail and stiffen sentences for serious drug offenses. He also said some kind of "drug czar" legislation might emerge, despite the spectre of a veto, because Federal drug policy coordination had not met the congressional desire for forceful national leadership in drug abuse prevention and control. Finally, he spoke of possible changes in the forfeiture laws to earmark proceeds from the seizure of drug dealers' assets for drug law enforcement, prevention and treatment activities.

Members of the Select Committee staff also met with the NACDAC representatives. The Committee's Chief of Staff outlined the Committee's proposed activities and priorities in more detail, including a planned examination of the ADMS block grant. He also told the group that the Committee was receiving reports from State and local officials of increasing drug supplies and rising abuse of heroin and other drugs, despite Administration claims to the contrary. NACDAC representatives from Detroit, Boston, Philadelphia, Buffalo and other cities confirmed that illicit drug supplies and use were on the increase in their areas. They also criticized the block grant approach because cities—which have the greatest number of drug abusers and the greatest need for treatment services—do not have the political clout to obtain their fair share of block grant funds from State legislatures. The cities' problems would be further compounded, they said, by the substantial cuts in Federal funds for drug treatment and prevention under the ADMS block grant. The NACDAC group urged the Committee to consider some kind of direct Federal funding or targeting of Federal block grant funds to cities for substance abuse services.

e. Letter by Chairman Rangel to President Reagan on reduced funding for the distribution of drug abuse prevention educational publications

On May 10, 1983 Chairman Charles Rangel wrote President Reagan to inform him that "the Select Committee on Narcotics Abuse and Control has recently been receiving complaints from

education and community professionals, and volunteers, that because of budgetary constraints the National Clearinghouse on Drug Abuse Information is failing to meet its responsibilities in furnishing a variety of publications to them." Specifically, these people have complained that the Government's budget for printing and distribution of publications has been reduced, limits have been placed on quantities which can be obtained, and the prices on publications have increased. This policy has greatly limited the availability of many valuable government-sponsored drug abuse prevention materials. For example, the publication "Marihuana" now costs $3.00 per copy and the popular publication "Parents, Peers, and Pot" now costs $5.00 per copy. It is difficult for many voluntary and non-profit organizations to pay these prices.

Mr. Rangel stated that prior to the institution of budget cuts the National Institute on Drug Abuse had a printing and publications budget of between $2 million and $3 million, but it had been decreased to $600,000; approximately $400,000 is allocated for drug abuse prevention and education material. Congressman Rangel wrote the President that "your budget is squeezing the availability of publications." He urged the President to "restore the budget cuts you instituted for NIDA so that every responsible individual and group involved in drug abuse prevention and education can have the publications they need for their efforts to curtail the problem."

On June 29, 1983, in response to Chairman Rangel's letter to President Reagan, Dr. Carlton E. Turner, Special Assistant to the President for Drug Abuse Policy, wrote:

> I understand your concern about change in the NIDA Clearinghouse publications and distribution program that appear to have reduced the availability of drug abuse materials. I want to assure you that this program remains a high priority of this Administration. However, changes have been made as part of the effort to eliminate unnecessary spending in the overall publications program of the Federal Government. The Office of Management and Budget (OMB) had directed Executive Departments to reduce the inventory of Federal publications by streamlining publications management and control. The National Institute on Drug Abuse (NIDA) at the direction of the Department of Health and Human Services, undertook an extensive review of its public information and scientific publications. This review resulted in a reduction in the number of similar publications on a specific topic while ensuring the continued availability of the most important publications for these audiences.

Dr. Turner told Congressman Rangel that ". . . the Clearinghouse has negotiated several bulk quantity prices for the most popular institute publications. . ." The Select Committee on Narcotics Abuse and Control remains concerned that adequate funding for drug-abuse publications is not being made available to NIDA. The Committee notes that timely access to accurate up-to-date drug abuse publications is essential to effective drug abuse education

programs and urges that adequate Federal funding be provided for this important activity.

2. SUPPORT FOR COMMUNITY ACTION TO PREVENT DRUG ABUSE

a. Congressional Advisory Committee on Drug Trafficking and Substance Abuse

The Congressional Advisory Committee on Drug Trafficking and Substance Abuse has been meeting regularly since the summer of 1981, and this year, the Committee sponsored a drug seminar and a drug workshop for community leaders in New York's 22nd Congressional District.

Congressman Gilman met with the group in June 1983 and again in November. The Advisory Committee is comprised of representatives of parents, health professionals, educators, guidance counselors, clergy, law enforcement officers, treatment specialists, and business and labor leaders. Students and other concerned citizens are also members of the Advisory Committee. The Congressional Advisory group was created to help raise the consciousness of the public as to the dangers of drug abuse, to provide drug-related information to community leaders, and to stimulate communities to act upon the drug problem.

On June 11, 1983, the Committee heard from a panel of Federal and State drug officials including Tom Cash, Associate Special Agent in Charge of the New York Field Division of the Drug Enforcement Administration, Rayburn Hesse, Special Assistant to the Assistant Secretary of State for International Narcotics Matters; Bernard McColgan, Chief of Prevention, National Institute on Drug Abuse; Kathleen Coughlin, Tom Sullivan and Dennis Zimmerman from the New York State Division on Substance Abuse Services and Anthony DiBenedetto, Chief, Drug Education Bureau of the New York State Education Department. The panelists discussed the international and domestic dimensions of drug trafficking and drug abuse and expressed their concerns for the growing incidence of this problem in New York State.

On November 19, 1983, the Drug Advisory Committee met to discuss community action to prevent drug abuse in the schools and heard from representatives of the White Plains, New York School District regarding that district's successful drug abuse program. The seminar provided educators, guidance counselors, parents, students, teachers and school administrators with information pertaining to the growing drug problem in schools.

The Drug Advisory Committee is preparing a Drug Resource Directory that will identify the range of services available for treatment, prevention and rehabilitation in the Hudson Valley region of New York. It is also preparing a packet of materials for Members of Congress who would like to establish a similar group in their Congressional Districts.

b. Meeting with the Shaw community, Washington, D.C.

On April 23, 1983, the Chief of Staff and the Chief Counsel of the Select Committee attended a meeting of the Shaw Community Project Area Committee in the Shaw Community Center in Washington, D.C. This meeting was sponsored by Representative Walter

Fauntroy, a member of the Select Committee, for the purpose of organizing a community "War on Drugs."

The Select Committee was asked to lend its support toward the development of a five point plan of action to combat drug abuse and drug trafficking in the Shaw Community. This program called for the active participation of (1) the law enforcement community; (2) the school systems; (3) religious groups; (4) drug treatment programs; and (5) businesses and professionals.

Each of these areas of society is affected in some manner by drug abuse. Therefore, it was proposed that the situation be turned around, so that these five areas significantly affect drug abuse and prevention.

—In order to eliminate the supply and suppliers of drugs, the law enforcement agencies' and the courts' mission is vital, but the community must aid and assist the police.

—The school system must provide responsible leadership by supporting the "War on Drugs." Drug education classes should be made a required part of the curriculum.

—Religious groups should provide facilities for drug education programs for parents; form preventive and life guidance support groups; and apply religious teaching to discourage drug abuse.

—Treatment and Prevention programs must continue to be funded from public and private sources: there is a need for more drug-free programs.

—Businesses and professionals must invest in drug-free programs; initiate job training for drug-free persons; and make employment commitments for drug-free persons.

The Select Committee staff participated in the development of this five point program in addition to reporting on disseminating information on the current efforts of the U.S. Government to reduce international and intra-state distribution of illicit drugs.

The Shaw Community Project Area Committee met on several occasions after April 23, organizing and implementing this plan. In addition to those initial participants representing groups involved in the five point program, the Board of Trade agreed to sponsor public relation initiatives for the Shaw project; the Mayor's Advisory Committee on Drugs agreed to develop information on the status and effectiveness of drug treatment centers in Shaw; and citizens began reporting to the authorities specific incidents of drug trafficking in the Shaw area.

All of these efforts were highlighted by the Shaw Community March Against Drug Abuse on May 20, 1983. Members and staff of the Select Committee participated in that march through the Shaw Community.

c. D.C. public schools workshop on substance use/abuse

The Chief of Staff of the Select Committee on Narcotics Abuse and Control and a Committee Counsel represented the Select Committee on July 8, 1983, at a workshop on substance use and abuse held for teachers in the D.C. public school system. The purpose of the workshop was to alert the teachers to the physical and psychological effects on students of taking drugs, and to help teachers recognize when a student is using drugs. In his presentation, the Chief

of Staff emphasized the need to stop the importation of drugs into the United States. He discussed the pending Rangel/Gilman/Zablocki amendment to the Foreign Assistance Act which proposes to suspend all assistance to narcotics producing nations which fail to prepare and implement a plan for the gradual elimination of the illicit cultivation of narcotic crops. Counsel explained to the teachers the rationale behind the alcohol and drug abuse block grant, which is to give States more control in running their own substance abuse programs. Counsel also explained to the teachers that the Select Committee was established so that one Committee of the House of Representatives could systematically review issues relating to narcotics use and abuse, rather than having several different Committees look at small segments of the issue.

The Chief of Staff again appeared before the Substance Abuse Prevention Education program of the D.C. Public Schools on November 9, 1983 and discussed the key elements of national and international narcotics control.

d. Address before symposium on children of substance abuse

In the summer of 1983, Julio Martinez, Director of the New York State Division of Substance Abuse Services (D.S.A.S.), created the Children's Task Force to address the growing phenomenon of second and even third generation substance abusers in drug treatment programs. D.S.A.S. figures reveal that in New York State, there are 60,000 women who are heavy narcotics users and 240,000 women who are heavy users of non-narcotic drugs. If each of these women has 2 children, a figure well within the national norm, some 600,000 children could be affected by maternal substance abuse, a figure which does not include the children of male substance users.

As serious and large as the universe may be, there is little information about these children. Few, if any studies have been conducted and there have been no organized attempts to impact on and interrupt this intergenerational cycle of dependence.

The Children's Task Force, consisting of selected D.S.A.S. staff and representatives from Hale House, Project Return Foundation, Inc., the Lower Eastside Service Center and Roosevelt Hospital, was formulated specifically to address the needs of children whose parents are chemically dependent.

On October 6, 1983, the Children's Task Force sponsored a Symposium on the Children of Substance Abusers at the World Trade Center in New York City. This symposium brought together clinical experts and public policy makers, together with parents and children who have directly experienced generational drug dependence, to gather facts and answer questions about these children. Who are they? How many children are there? Where are they: at home, in foster care, or with relatives? What are their problems, and how are they affected by parental substance abuse? What, if anything, is being done for them under present programs?

The Chairman of the Select Committee on Narcotics Abuse and Control, Charles B. Rangel, was invited to give the opening address to the symposium. Because Mr. Rangel was unable to attend, the Chief Counsel for the Committee, Richard B. Lowe, III, addressed the symposium. Speaking on behalf of the Chairman, Mr. Lowe ob-

served that "even with the scarcity of statistics, we have no doubt about the presence of substantial numbers of endangered children in the households of substance abusers. All of us who have worked with drug-troubled cities have seen them. We have no trouble sensing their plight."

He further observed that the pressures on these children are evident. They are subjected to the instabilities of households run by addicts—irregular hours, unpredictable behavior by the adults in their lives, often residing in neighborhoods ravaged by the drug traffic and associated with violent crime.

Mr. Lowe pointed out that families of addicts tend to have many problems besides the immediate one of addiction itself, and in all of these problems, the children share. Many are in one-parent residents. Poverty, in terms of a lack of basic needs, is frequent because of the expense of the parents addiction. These children see illegal substances in daily use in their homes and become used to a pattern of illegal activity by their parents. Then they may be conditioned by parental example to think this to be acceptable behavior.

In lending the Chairman's support and that of the Committee's to the symposium, Mr. Lowe explained that the issue is not confined to New York, but rather that substance abuse cuts a wide swath across the Nation and the effects on children are bound to be a National phenomenon which may call for recognition in Federal policy. "I am here to learn," Mr. Lowe concluded. "I want to carry back to the members in Washington a better understanding of the children's problem and the possible direction in which to look for remedies, and I am certain the results of this Symposium and the work of the Children's Task Force will be valuable in suggesting a National course of action."

The Select Committee is presently awaiting the conclusions of the symposium and the statistics and research findings of the Children's Task Force.

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